



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

खंड IV] शिमला, शनिवार, 25 अगस्त, 1956 [संख्या 34

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भाग 2	वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि .. —
भाग 3	अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जूडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि .. —
भाग 4	स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाउन एरिया तथा पंचायत विभाग —
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—	अनुपूरक —

सूचना

तारीख 25 अगस्त, 1956 ई० को समाप्त होने वाले सप्ताह में निम्नलिखित "असाधारण राजपत्र, हिमाचल प्रदेश" प्रकाशित हुआ :—

विज्ञप्ति की संख्या	विभाग का नाम	विषय
No. CS. 92-212/53-II, dated the 20th August, 1956	Co-operative Department	Enforcement of H. P. Co-operative Societies Act No. 13 of 1956

भाग 1—वैधानिक नियमों को छोड़ कर हिमाचल प्रदेश के उपराज्यपाल और जूडिशल कमिशनरज कोर्ट द्वारा अधिसूचनाएं इत्यादि

HIMACHAL PRADESH GOVERNMENT
HOME, GAZETTE AND TRANSPORT DEPARTMENT

NOTIFICATIONS

Simla-4, the 16th August, 1956

No. HGT. 4-3/55.—In exercise of the powers conferred under section 12 of the Criminal Procedure Code, the Lieut.-Governor, Himachal Pradesh, is pleased to confer the powers of a Magistrate of the 1st Class on Shri Sarupa Nand to be exercised within limits of Chamba District with immediate effect.

K. R. CHANDEL,
Assistant Secretary (Home).

Simla-4, the 17th August, 1956

No. HGT. 72-75/50.—Shri Inder Singh, Superintendent of Police, Mahasu District is granted 30 days'

earned leave with effect from the 1st September, 1956 (forenoon).

A. GUPTA, I.P.,
Joint Secretary Home (Police).

CO-OPERATIVE DEPARTMENT

NOTIFICATION

Simla-4, the 20th August, 1956

No. CS 92-242/56.—Shri S. L. Barotra, temporary District Co-operative and Supplies Officer, Mandi, is granted 30 days' earned leave with effect from 27th August, 1956, with permission to prefix Sunday falling on 26th August, 1956. In his absence on leave, Shri Dina Nath Chauhan, District Co-operative and Supplies Officer, Bilaspur, will look after the work of D.C.S.O., Mandi.

By order,
A. B. MALIK,
Secretary.

FOREST DEPARTMENT

NOTIFICATION

Simla-4, the 16th August, 1956

No. Ft. 45-42/55.—The services of Shri D. D. Chopra, Conservator of Forests, Sirmur Circle and Working Plan Officer, Nahan are terminated with effect from the 21st February, 1955 (F. N.) consequent upon his remaining absent from duty from the said date.

By order,

K. R. CHANDEL,

Assistant Secretary.

PLANNING AND DEVELOPMENT DEPARTMENT

OFFICE ORDER

Simla-5, the 14th August, 1956

No. D. 108-14/54-II.—Shri Gulab Singh Jhina, Block Development Officer N. E. S. Chachiot Block (District Mandi) is hereby reverted to his substantive post in the Agriculture Department, Himachal Pradesh, with effect from the forenoon of 30th May, 1956.

A. B. MALIK,

Additional Secretary.

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Simla-4, the 14th August, 1956

No. PW. 59-39/55-34517-20.—Shri G. M. Sharma, Assistant Engineer, Public Health Sub-Division, Mahasu, on deputation from C. P. W. D. who will attain the age of superannuation on 15th August, 1956, forenoon is hereby relieved on retirement on the afternoon of 14th August, 1956.

G. R. NANGEA,

Secretary.

REVENUE DEPARTMENT

NOTIFICATIONS

Simla-4, the 11th August, 1956

No. R. 60-104/56.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that land is likely to be required to be taken by the Government at the public expense for a public purpose, namely for the construction of Solan-Sabathu Road, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

2. This notification is made under the provisions of Section 4 of the Land Acquisition Act, 1894, as applied to Himachal Pradesh to all whom it may concern.

3. In exercise of the powers conferred by the aforesaid section, the Lieutenant Governor is pleased to authorise the officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

4. Any person interested who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification file an objection in writing before the Collector of Land Acquisition, Himachal Pradesh, P.W.D., Kennedy House, Simla.

SPECIFICATION

District: MAHASU

Tehsil: SOLAN

Khasra No.	Area		1	2	3
	Big	Bis.			
1	2	3			
			363/1	0	18
			365/1/1	0	6
349/1	0	6	365/1/2	0	1
104/1	0	11	158/1	0	4
99/1	0	15	93/1	0	5
182/1	1	2	68	0	8

Village: SHAIL

1	2		1	2	3
43/1	0	14	110/1	0	8
84/1	1	4	351/1	0	10
71/1	0	14	351	0	10
71/1/1	0	6	581/96/1/1	0	1
92	0	1	173/1	0	5
342	0	1	174/1	0	0
67/1	0	4	582/96/2/1	0	5
366/1	0	5	574/66/1	0	11
339/1	0	1	574/66/1/2	0	11
341/1	0	1	69/1	0	4
344/1	0	1	91/1	0	14
58/1	0	1	83/1	0	1
112/1	0	6	83/2	0	2
356/1	0	7	60/1	0	1
357/1	0	1	73/1	0	1
358/1	0	3	94/1	0	13
65/1	0	14	180/1	0	2
359/1	0	0	532/345/1	0	6
360/1	0	1	161/1	0	2
361	0	2	102/1	0	4
362	0	2	156/1	0	2
343/1	0	3	98	0	1
44/1	0	4	181	0	2
72/1	0	4	364/1	0	5
77/1	0	19	372/1	0	1
111/1	0	10	157/1	0	4
533/345/1	0	2	354	0	3
347/1	0	0	75/1	0	5
348	0	2	74/1	0	5
534/345	0	1	76/1	0	9
355/1	0	2	89/1	0	6
57/1	0	17	90/1	0	6
139/1	0	8	Village: TOPKI-BHAIR		
353/1	0	2	191/1	0	1
350/1	0	1	228/2 min.	0	1
137/1	0	1	197/1	0	14
135/1	0	2	202/1	0	0
172/1	0	3	201/1	0	2
136/1	0	18	195/1	2	17
352/1	0	5	200/1	0	8
103/1	0	4	199/1	0	7
45/1	0	3	206/1	1	4
46/1	0	19	214/1	2	12
104/1	0	1	215	0	2
168/1/1	0	14	189/1	0	6
100/1	0	1	227	0	15
101/1	0	1	228/1	1	0
169	0	1	228/2	0	15
170	0	2	Village: CHAKLI		
171/1	0	9	7/1	0	7

Simla-4, the 11th August, 1956

No. R. 60-13/56.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Simla-Mandi Road, via Tatapani, it is hereby declared that the land described in the specification below is required for the above purpose,

2. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, to all whom it may concern, and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh, P.W.D., is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh, P.W.D., Kennedy House, Simla.

SPECIFICATION

District: MANDI

Tehsil: SADAR

Khasra No.	Area		1	2	3	4
	Big	Bis. Bisw.				
1	2	3	4			
			24/1	0	0	18
			219/25/1	0	0	5
			218/25/1	0	1	1
			216/25/1	0	2	6
			58/1	0	1	4
235/1	0	1	186/1	0	0	8

Village: MARSED

1	2	3	4	1	2	3	4	1	2	3	4
Village : MARSED—concl'd.											
186/3	0	1	13	192/1	0	4	12		290/1, 290 to 299, 300/1, 300 to 309, 310 min., 313 to 368, 369 min.	48.83	acres.
212/1	0	7	12	192/3	0	0	15				
181/1	1	1	3	214/1	0	0	4	SUH	561/1, 565, 566, 567, 569 to 579, 580/1, 582/1, 583/1, 584/1, 588/1, 588/2, 588/3, 590, 591, 593/1, 595/1, 596/1, 600/1, 600/1/1, 609 to 611, 615/1, 616 to 620, 622, 625, 852/625, 853/626, 627 to 629, 638 to 673, 673/1, 674 to 685, 685/1, 693, 695 to 709, 709/1, 710 to 734, 736 to 748, 750 to 790, 792 to 800, 802, 803, 807 to 829, 831 to 844, 846, 847, 849 min.	59.19	acres.
185/1	0	1	12	180/1	0	0	7				
213/1	0	3	0	177/1	0	6	0				
190/1	0	5	17					DIBRU	2 to 43, 45 to 58, 58/1, 59 to 61, 61/1, 62 to 68, 68/1, 69 to 78, 80 to 126, 126/1, 127 to 129, 131 to 139, 141 to 184, 186 to 189.	430	18
191/1	0	6	6	Total area	3	6	17				

Simla-4, the 11th August, 1956

No. R. 60-151/55.—Whereas it appears to the Lieutenant Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Bhakra Dam, it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, to all whom it may concern, and under the provisions of section 7 of the said Act, the Collector, Bilaspur is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Bilaspur District (Himachal Pradesh).

SPECIFICATION

District: BILASPUR Tehsil: GHUMARWIN

		Area	
Village	Khasra Number	Big. Bis.	
1	2	3	4
DHANAR	415/1, 417, 418, 423/1, 425 to 428, 432 to 437, 439, 440/1, 441/1, 442/1, 443/1, 444, 445, 447 to 449.	72	4 or 13.42 acres.
SASOTA	1 to 26, 28 to 43, 45, 48, 49, 53/1, 285/54/2, 55 to 65, 67 to 73, 75, 76, 78 to 86, 88, 89, 104/1, 105, 107 to 109, 111/1, 132, 132/1, 133 to 137, 139 to 141, 142/1, 146/1, 155/1, 154, 156, 288/282, 287/282.	19.46	acres.
GAH	1 to 12, 12/1, 13, 15 to 17, 18/1, 18/2, 19, 21, 22, 24/1, 26 to 41, 41/1, 42 to 54, 54/1, 55, 55/1, 56 to 58, 58/1, 59 to 69, 69/1, 70 to 75, 824/76, 77 to 86, 86/1, 87, 87/1, 88 to 91, 91/1, 91/2, 92 to 94, 97 to 100, 102, 104 to 116, 117 to 135, 137 to 149, 149/1, 150 to 161, 163 to 186, 186/1, 186/2, 187 to 192, 192/1, 193, 193/1, 194, 195, 197 to 204, 204/1, 205 to 208, 208/1, 208/2, 209, 210, 210/1, 211 to 226, 226/1, 227 to 247/1, 248 to 272, 272/1, 273 to 276, 276/1, 276/2, 277, 277/1, 278 to 297, 297/1, 298 to 300, 302 to 304, 304/1, 305 to 310, 310/1, 311 to 348, 348/1, 349 to 356, 820/357, 358, 359, 361, 361/1, 363 to 387, 390/1, 391, 392, 392/1, 393 to 400, 402, 402/1, 403, 403/1, 404 to 409, 409/1, 410 to 416, 416/1, 417 to 430, 430/1, 431 to 436, 436/1, 437 to 447, 447/1, 449 to 452, 452/1, 453, 457 to 459, 459/1, 460, 461, 465, 466, 468 to 472, 474 to 490, 491 to 496, 498, 498/1, 499 to 503, 503/1, 504 to 509, 511 to 522, 523 to 526, 528 to 535, 537 to 550, 556 to 558, 826/588.	226.73	acres.
CHUHAL	1 to 17, 19 to 30, 32 to 42, 44 to 52, 55 to 65, 67 to 71.	30.57	acres.
GAHARAL	2 min., 3, 5 to 192, 193 min., 194, 195, 198, 201 to 205, 207 to 288.		

District: BILASPUR					Tehsil: SADAR.				
1	2	3	4		1	2	3	4	
	to 230, 230/1, 232, 232/1, 233, 233/1, 234, 234/1, 235, 236, 236/1, 237, 237/1, 238 to 243, 245, 248 to 251, 251/1, 251/3, 252, 252/1, 253 to 262, 262/1, 263 to 267, 267/1, 268 to 270, 273 to 275, 275/1, 275/2, 276 to 279, 281, 282, 282/1, 283 to 287, 287/1, 288 to 302, 302/1, 303 to 307, 307/1, 308 to 310, 325, 326 to 331, 414/1, 415, 416.			537 5	SEENWAN 107/1, 108/1, 111/1, 112/1, 113, SADHAN 114, 115, 116/1, 493/1, 495/1.				3.65 acres.
KUTHERA	3 to 4, 4/1, 4/2, 4/3, 5 to 18, 18/1, 19 to 28, 28/1, 29, 31 to 40, 40/1, 40/2, 40/3, 41 to 46, 46/1, 47 to 57, 59 to 69, 71 to 78, 81 to 149, 152 to 161, 165 to 190, 192, 196 to 261, 263 to 282, 284 to 306, 308 to 326, 328 to 371, 373 to 375, 377, 378, 380 to 398, 400 to 497, 499 to 510, 512, 512/1, 513 to 519, 519/1, 520 to 544, 546 to 557.			71.01 acres.	NAKRANA 1, 3, 5, 7/1, 7/2, 8 to 13, 13/1, 14 to 47, 48/1, 48/2, 51 to 57, 59, 60, 63, 65 to 80, 82 to 88, 90 to 96, 98 to 119, 121 to 145, 147 to 172, 173, 174, 174/1, 175, 176, 176/1, 176/2, 177 to 180, 180/1, 181, 181/1, 182 min., 182/1, 183 to 187, 188 to 229, 229/1, 230 to 288, 289 to 343, 343/1, 344, 346 to 348, 902/349, 903/349, 351 to 358, 361, 364, 366 to 379, 381 to 392, 393/1, 393/2, 394 to 398, 905/399, 406, 407, 412 to 433, 436, 439, 450/1, 450/2, 471/1, 477 to 485, 487, 488, 490 to 493, 494/1, 494/2, 495 to 502, 504, 505, 505/1, 506 to 512, 862/513, 863/513, 864/514, 865/514, 866/515, 867/515, 516 to 527, 907/531, 908/531, 909/532, 910/532, 533, 868/535, 537, 539 to 545, 547/1, 547/2, 548/1, 548/2, 911/550, 912/550, 553/1, 554, 556 to 560, 913/561, 914/561, 915/561, 561/1, 562, 564 to 568, 570, 570/1, 571 to 575, 577 to 595, 597 to 599, 596, 599/1, 599/2, 600, 602/1, 603 to 605, 607 to 614, 881/618/1, 630, 641/1, 645/1, 652 to 665, 889/666, 892/672, 703, 747, 748, 823.				299.07 acres.
SERI	1, 3 to 6, 1086/8, 1087/8, 9 to 16, 16/1, 17 to 125, 125/1, 126 to 201, 201/1, 202 to 205, 205/1, 206 to 257, 257/1, 258 to 291, 292, 292/1, 293 to 319, 319/1, 320 to 357, 1088/358, 1079/358, 359 to 366, 366/1, 367 to 408, 408/1, 409, 409/1, 410 to 449, 1084/450, 451, 452, 454, 457 to 469, 469/1, 470 to 474, 474/1, 475 to 506, 506/1, 507/1, 508, 509, 510 to 513, 513/1, 514 to 523, 523/1, 524 to 531, 533 to 597, 597/1, 598, 598/1, 599 to 614, 614/1, 615 to 632, 632/1, 633 to 685, 685/1, 686 to 689, 689/1, 690 to 694, 694/1, 695 to 704, 706 to 720, 1098/721, 1099/721, 727 to 752, 754 to 795, 797 to 803, 1090/804, 1091/804, 805 to 809, 809/1, 810, 810/1, 811 to 841, 841/1, 842, 842/1, 843, 845 to 848, 848/1, 849 to 851, 853 to 863, 863/1, 864 to 873, 873/1, 874, 875, 875/1, 876 to 882, 882/1, 883, 1092/884, 1093/884, 885, 887 to 899, 901, 902, 904 to 913, 913/1, 914 to 937, 937/1, 938, 938/1, 939, 939/1, 940, 940/1, 941 to 943, 943/1, 944, 945, 945/1, 946 to 977, 977/1, 978 to 982, 983 to 1018, 1094/1020, 1096/1021, 1097/1021, 1022, 1024 to 1025, 1027 to 1044, 1046 to 1052, 1054 to 1082.			134.48 acres.	BOHALU 2 to 10, 12 to 61, 63 to 104, 105, 106, 107, 108, 109, 105/1, 110 to 116, 120, 121/1.			32.12 acres.	
DHANO-ULA	3/4, 5, 6, 7/1, 8/5, 9 to 12, 14/1, 15/1, 49, 50/1, 51/1.			1.89 acres.	JABAL 2, 8/1, 10/3, 11, 29/1				41 14 or 7.75 acres.
MATLA	2 to 5, 7/1, 405/8, 406/8, 9, 10, 403/11, 12, 14/3, 15, 17 to 20, 22, 24 to 27, 28 to 31, 32 to 65, 67, 69 to 74, 76 to 78, 80 to 88, 399/89, 400/89, 90 to 96, 98 to 111, 113 to 124, 125 to 141, 143, 144, 146 to 150, 152 to 184, 407/185, 408/185, 186 to 189, 191 to 203, 205 to 217, 218 to 222, 393/223, 394/223, 395/392/223, 396/392/223, 397/392/223, 398/392/223, 223/1, 224, 225, 390/226, 396/226, 227 to 232, 234 to 239, 241, 243 to 245, 247, 249 to 253, 255 to 271, 273, 275 to 287, 287/1, 288 to 290, 292 to 301, 303 to 333, 402/335/2/1, 337 to 340, 342 to 344, 345, 348 to 368, 370 to 375, 377 to 379, 381, 382/1, 383, 386, 387.			1037 19 or 192.93 acres.	MALOUN 3, 5, 6, 7, 8, 9, 10, 11 to 24, 25/1, 26 to 30, 31/1, 32/1, 32/2, 33, 34, 324/46, 42/1, 35/1, 37 to 42, 43, 44, 44/1, 45, 45/1, 325/46, 47 to 49, 50, 51 to 55, 275/56, 276/56, 57 to 59, 277/60, 279/60, 278/60, 61 to 63, 64, 288/113/2, 302/164, 303/164, 195, 196, 190, 191, 193, 65, 68, 69, 70, 71, 280/74, 281/74, 75 to 78, 80 to 83, 84, 85, 87, 88, 89, 90, 282/91, 283/91, 284/91, 92, 93 to 98, 285/99, 286/99, 100 to 109, 110/2, 111/1, 112/1, 287/113/2, 291/113, 292/114, 293/114, 294/114, 273/120/1, 165/1, 192, 194, 197, 198, 203/1, 206/1, 200.			158 1 or 29.46 acres.	
LORHAD	73/1			0 4	THAPNA 1, 3, 119/1, 120/1, 121/1, 222/1, 223 to 230, 231/1.				16 0 or 2.98 acres
					BAHAL BHAMINA 2 to 21, 21/1, 22 to 47, 48 to 53, 53/1, 54 to 72, 72/1, 73 to 108, 108/1, 109 to 128, 130 to 158, 158/1, 159 to 189, 189/1, 190, 190/1, 191 to 213, 213/1, 214 to 220, 220/1, 221, 223 to 230, 230/1, 231 to 260, 260/1, 262 to 284, 284/1, 285 to 329, 329/1, 330 to 338, 338/1, 339 to 341, 341/1, 342, 343, 344 to 348, 348/1, 349, 349/1, 350 to 353, 353/1, 354 to 377, 380 to 386, 388 to 394, 397 to 405, 405/1, 406 to 425, 427, 427/1, 428, 363 7-428/1, 429 to 442, 442/1, 443 to or 67.53 acres.				
					KATIRAR 403/1, 412/1, 413/1, 414/1, 415/1, 416/1, 417/1, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429/1, 450/1, 456/1, 457/1, 458, 459, 466.			11.21 acres.	

1	2	3	4
PANG-WANA	31, 258/1, 261, 262/1, 534/265/1, 266/2, 267 to 277, 279 to 281, 281/1, 282 to 288, 290, 291, 293 to 301, 301/1/1, 302/1, 303, 304, 305/1, 306/1, 309/1, 310/1, 311/1, 312/1, 313, 314/1, 314, 316, 317, 317/1, 318 to 353, 355 to 363, 365, 366/1, 367, 540/368/1, 369 to 380, 382 to 389, 389/1, 538/390, 542/392, 544/543, 394 to 423, 425 to 427, 430 to 439, 536/466/1, 467/1, 469/510, 513 to 522, 522/1, 523 to 525, 527 to 529.	279 17 or 52.02 acres.	
DAGRAN	1921 to 1927, 1928 to 1952, 1954 to 1964, 1966, 1967, 1978/1968.	94 17 or 17.72 acres.	
MEHLA	9, 10, 12/1, 13/1, 3, 8, 4, 5/1.	50 16 or 9.44 acres.	
SAMLOTI	2, 5, 7, 8, 9, 10 to 12, 14 to 16, 17 to 19, 20 to 24, 26, 27, 28, 29 to 33, 35, 39.	18.68 acres.	
OEL	1 min, 2/1, 4 to 19, 21 to 25, 27 to 56, 58 to 89, 91 to 127, 128, 130 to 135, 137 to 152, 1463/153, 1462/153, 154 to 175, 175/1, 176 to 207, 1435/208, 1436/208, 1437/208, 1438/208, 209, 210, 1439/211, 1440/211, 1441/211, 212 to 224, 1442/225, 1443/225, 226 to 239, 1444/240, 1445/240, 241 to 250, 250/1, 251 to 254, 254/1, 1446/255, 1447/255, 256, 1448/257, 1449/257, 1450/257, 259 to 261, 1451/262, 1452/262, 263 to 265, 1410/266, 1411/266, 1412/266, 267 to 271, 273 to 277, 279 to 282, 285 to 287, 289 to 291, 1453/293, 1454/293, 294 to 297, 299 to 302, 305 to 307, 309 to 326, 328, 331, 334 to 338, 340, 342, 343, 344, 347, 348, 349 to 353, 356 to 359, 363, 364, 366 to 375, 376/1, 376/2, 377 to 386, 386/1, 387 to 400, 403 to 422, 1464/423, 1465/423, 426 to 438, 438/1, 439, 439/1, 440 to 477, 477/1, 478 to 480, 482 to 488, 490 to 500, 502, 503, 505, 506, 506/1, 507 to 574, 576, 577, 579 to 600, 602 to 617, 619 to 633, 633/1, 634 to 638, 640 to 718, 718/1, 719 to 730, 730/1, 731 to 734, 1406/735, 1407/735, 1408/735, 1409/735, 736 to 761, 763 to 773, 780 to 808, 810 to 833, 836 to 838, 839/1, 840 to 857, 859, 861 to 865, 868, 869, 872 to 874, 876 to 880, 880/1, 881 to 895, 895/1, 896 to 916, 918 to 937, 939, 941, 943, 944, 947, 950 to 952, 956 to 961 to 963, 964, 964/1, 965 to 982, 985, 987, 988, 989 to 992, 994 to 1000, 1004 to 1006, 1009, 1014 to 1018, 1022, 1023, 1025, 1026, 1028, 1031, 1034, 1038 to 1040, 1042 to 1045, 1050 to 1052, 1054, 1056, 1058 to 1061, 1064, 1070/1.	255.69 acres.	

Simla-4, the 17th August, 1956

No. R. 60-12/56.—Whereas it appears to the Lieut.-Governor, Himachal Pradesh, that the land is required to be taken by the Government at public expense for a public purpose, namely for the construction of Mandi-Sarkaghat Road via Rewalsar in village Garauroo it is hereby declared that the land described in the specification below is required for the above purpose.

2. This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894, to all whom it may concern, and under the provisions of section 7 of the said Act, the Collector, Land Acquisition, Himachal Pradesh, P.W.D., is hereby directed to take order for the acquisition of the said land.

3. A plan of the land may be inspected in the office of the Collector, Land Acquisition, Himachal Pradesh, P.W.D., Kennedy House, Simla.

SPECIFICATION

District: MANDI				Tehsil: SADAR			
Area				1	2	3	4
Khasra No.	Big.	Bis.	Biswis.				
1	2	3	4	9/2	0	0	18
				10/1	1	2	4
				14/1	0	18	10
				15/1	0	1	8
Village:	GARAUROO			17/1	0	0	12
4/1	0	5	15	94/1	2	7	6
5/2	0	0	15	96/1	0	18	13
5/3	0	1	1	97/1	0	0	9
7/1	0	1	0				
9/1	0	6	6	Total	6	13	17

Simla-4, the 20th August, 1956

No. R. 86-66/52-II.—In exercise of the powers conferred under section 35 of the Himachal Pradesh Consolidation of Holdings Act, 1953, the Lieutenant Governor, Himachal Pradesh, is pleased to appoint the Revenue Assistant of Bilaspur, District Bilaspur as Settlement Officer (Consolidation) for the District of Bilaspur.

By order.
BASANT RAI,
Assistant Secretary.

VIDHAN SABHA

NOTIFICATION

Simla-4, the 17th August, 1956

No. VS. 11/55.—The Lieutenant Governor, Himachal Pradesh, in exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 9 of the Government of Part "C" States Act, 1951 is pleased to prorogue the Himachal Pradesh Vidhan Sabha after it concluded its meeting on the 28th June, 1956.

By order of the Lieutenant Governor, Himachal Pradesh.

LAKSHMAN DASS,
Assistant Secretary (Judicial).

अग 2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिमूचनाएं इत्यादि

शरय

भाग 3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के उपराज्यपाल, जुडिशल कमिशनरज कोर्ट, फाइनेन्शल कमिशनर, कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि।

शून्य

भाग 4—स्थानीय स्वायत्त शासन: म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटीफाइड और टाउन एरिया तथा पंचायत विभाग

शून्य

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

INDUSTRIES DEPARTMENT

ADVERTISEMENT

APPLICATIONS for the following temporary posts in the scales as shown against each with usual allowances as admissible in Himachal Pradesh are invited so as to reach the undersigned by the 15th September, 1956:—

1. Basketry Teacher.—One-Rs. 75-3-105-Matric, diplomaholder in basketryware from a recognised Training Centre with three years practical experience in the line.
2. Assistant Basketry Teacher.—One-Rs. 45-2-55-3-85-expert, literate workman with at least three years practical experience in the trade.
3. Supervisor, Sports Goods.—One-Rs. 150-7-185-8-225- at least Matric preferably diplomaholder from a recognised Institute in the manufacture of sports goods and 5 years practical experience in some leading sports goods manufacturing concern.
4. Assistant Supervisor, Sports Goods.—One-Rs. 100-5-125-6-155/6-185-Matric with three years practical experience in the manufacture of sports goods. A thorough practical hand will be preferred.
5. Master Craftsmen, Sports Goods.—Two-Rs. 75-3-105-expert literate workmen with at least 3 years practical experience in the manufacture of sports goods.
6. Machineman.—One-Rs. 75-5-105-literate, fully experienced in running and maintaining of all types of machines and tools used for the manufacture of sports goods.
7. Rope Making Expert.—One-Rs. 75-3-105-Matric, certificate from a recognised Training Centre and/or 3 years practical experience in the making of ropes of all kinds by hand as well as power driven rope making machines.
8. Mining Overseer.—One-Rs. 100-5-125-6-155/6-185-diplomaholder in Mining Engineering from a recognised Institute with at least 3 years practical field experience.
9. Foreman.—One-Rs. 90-5-120-6-150-at least Matric with 5 years practical experience in some mineral processing concern of repute. Applicants possessing knowledge of manufacture of plaster of Paris will be preferred.
10. Assistant Foreman.—One-Rs. 80-5-100-Matric with 2 years practical experience in the manufacture of plaster of Paris or allied products.
11. Barytes Expert.—One-Rs. 100-5-125-6-155/6-185-at least Matric (B.Sc. Industrial Chemistry will be preferred) with 3 years practical experience in the manufacture of barytes powder in some reputed concern.
12. Assistant Barytes Expert.—One-Rs. 90-5-120-at least Matric with 2 years practical experience in the manufacture of barytes powder in some reputed concern.
13. Mastercraftsmen, Wood Working.—Four-Rs. 75-5-120-literate, experienced carpenter with five years practical experience in the trade.
14. Pashmina Weaving Expert.—One-Rs. 75-3-90/5-100-Middle pass, expert in pashmina weaving. Preference will be given to hereditary pashmina weavers, proficient in warping, weaving and darning.
15. Carding Master.—One-Rs. 100-5-125/5-150-Matric, with thorough practical knowledge of operation of standard carding machines. An operator and fitter with five years experience will be preferred.
16. Designers.—Two-Rs. 100-5-125-Matriculate with diploma in Textile designing of some school of Arts and two years practical experience in Textile designs.
17. Carpet Master.—One-Rs. 75-3-90/5-100-literate, certificate of recognised institution, five years practical experience of carpet making and allied trades including designs.
18. Spinning Organisers.—Four-Rs. 50-3-65/5-75-at least Middle pass, preference will however be given to matriculates. Diploma in spinning with two years practical experience in the line.
19. Mastercraftsman (Tanning).—One-Rs. 100-5-150-should be at least Middle pass and possess a certificate of a recognised institution, with 5 years experience in the trade.
20. Mastercraftsman (Leather).—One-Rs. 100-5-150-should be at least Middle pass and possess a certificate of a recognised institution with at least 5 years experience in the leather trade.
21. Tanning Mistries.—Two-Rs. 50-5-75-should be literate persons with 5 years experience of handling and processing of hides of various qualities.
22. Demonstrator (Metal).—One-Rs. 100-5-150-Matric with diploma in blacksmithy or metal articles with three years practical experience.
23. Accountant, Himachal Rosin and Turpentine Factory.—Rs. 150-10-250-should be at least B.Com. or graduate with economics possessing knowledge of commercial accounts and also experience of at least three years in similar duties in some Government or commercial concern.

Age limit 25 years relaxable upto 35 years. Preference will be given to Scheduled Castes/Tribes. Higher start to deserving cases will also be considered. Selected candidates will have to appear for interview at their own expense.

A. B. MALIK,
Director.

In the Court of Shri Hem Chand, B.A., LL.B., Senior Sub-Judge, Sirmur District, Nahan, Himachal Pradesh Civil Suit No. 30/1 of 1956.

Bhagwanu son of Magni, Caste Rajput, resident of Ranwa, Tehsil Rainka.....Plaintiff.

Versus

Jattu son of Tholu, Caste Rajput, resident of Naina, Tehsil Rainka.....Defendant. To

Jattu son of Tholu, Rajput, village Naina, Tehsil Rainka, Sirmur District, Himachal Pradesh.

Whereas it has been shown to the satisfaction of the court that it is difficult to serve defendant named above in the ordinary way. Therefore this Notice under O. 5 R. 20, C. P. C., is hereby published informing him that he should appear in this court on 30th August, 1956 (30-8-56) at 10 o'clock either personally or through a pleader or an authorized agent to answer the claim. In case of default of appearance, the case will be heard and determined in his absence.

Given under my hand and the Seal of the Court this 17th August, 1956.

Seal

HEM CHAND,
Senior Sub-Judge,
Nahan.

न्यायालय श्रीमान् जे० पी० ठाकुर साहिब, सीनियर सब जज, चम्बा, हिमाचल प्रदेश।

प्रह्लाद पुत्र सियामा, जाति गद्दी, ग्राम मोतरू, परगना मैहला..वादी

बनाम

रवैवर पुत्र गंगू, जाति गद्दी, ग्राम कुकरी, परगना चुवाड़ी ..प्रतिवादी

दावा मात्रा 498-1-0 रु० बरूप तमस्तक मूहरी 23 हाड़, सं० 2007।

उपरोक्त मुकद्दमा में मुद्दाला खैवर के नाम समन जारी किए गये। परन्तु बिना तामील वापस आए विदित होता है कि मुद्दाला जानबूझ कर समन की तामील करने से टाल मटोल को रहा है। अतः अदालत की तसल्ली हो गई है कि साधारण साधनों से मुद्दाला पर तामील नहीं हो सकती अतः मुद्दाला को विज्ञापन द्वारा सूचित किया जाता है कि वह 6-9-56 को स्वयं अथवा वकील द्वारा उक्त अदालत में हाजिर हो कर जवाबदेही व पैरवी मुकद्दमा करे। अन्यथा उसके खिलाफ कार्यवाही यकतरफा अमल में लाई जावेगी और मुकद्दमा का फैसला किया जावेगा।

आज तिथि 17-8-56 को हमारे हस्ताक्षर तथा मोहर अदालत से जारी हुआ।

जे० पी० ठाकुर,
सीनियर सब जज, चम्बा।
मुद्रा

अज्ञ अदालत श्री तारा चन्द रिवाल, बी० ए०, ऐल० ऐल० बी०, अडीशनल सब जज बहादुर, जिला मन्डी, हिमाचल प्रदेश
इस्तहार आर्डर 5, रूल 20 जायन्ता दीवानी

मिसल नं० 97 रजुआ 14-4-56

नानकू पुत्र नोता, जाति राजपूत, निवासी सकरैन, इलाका ठारादारी कमलाह, तहसील सरकाघाट, जिला मन्डी वादी

बनाम

(1) सन्तु पुत्र देवी दिता, जाति राजपूत, निवासी सकरैन, इलाका ठारादारी कमलाह, (2) भोखम (3) कृष्ण पिसरान फिन्जु, जाति राजपूत, निवासी धार, इलाका कमलाह प्रतिवादी

दावा दखलयावी बजरिया हकशुफा

बनाम :—कृष्ण पुत्र फिन्जु, जाति राजपूत, निवासी धार, इलाका कमलाह।

उपरोक्त शीर्षक मुकद्दमा में अदालत को रिपोर्ट तामील कुनिदा व व्यान हलफी वादी से निश्चय हो चुका है कि प्रतिवादी नं० 3 पर साधारण तौर से तामील नहीं हो सकती। अतएव इन इस्तहार द्वारा उक्त प्रतिवादी को सूचित किया जाता है कि वह स्वयं या वकील द्वारा अपने मुकद्दमा की पैरवी इस अदालत में उपस्थित होकर 6-9-56 को 10 बजे प्रातः करे अन्यथा उसके विपरीत कार्यवाही यकतरफा अमल में लाई जावेगी।

आज हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ 16-8-56।

तारा चन्द रिवाल,

मुद्रा

अडीशनल सब जज, मन्डी।

अज्ञ अदालत श्री तारा चन्द रिवाल, बी० ए०, ऐल० ऐल० बी०, अडीशनल सब जज बहादुर, जिला मन्डी, हिमाचल प्रदेश

मिसल नं० 137 रजुआ 22-5-56

फर्म रायबहादुर ला० जोधा मल साहिब द्वारा ठाकुर दुर्गा सिंह पुत्र मोटी राम, जाति राजपूत, निवासी जुब्बल हाल वारद, मन्डी नगर, मुहल्ला समखेतर, वादी

बनाम

बीहू पुत्र दीन्, जाति लुहार, निवासी मरेड, इलाका गढ़वा, तहसील चचयोड, जिला मन्डी प्रतिवादी।

दावा नकदी 2,200 रु०

उपरोक्त शीर्षक मुकद्दमा में न्यायालय को रिपोर्ट तामील कुनिदा व व्यान हलफी वादी से निश्चय हो चुका है कि प्रतिवादी पर साधारण तौर से तामील नहीं हो सकती। अतएव इस इस्तहार द्वारा उक्त प्रतिवादी को सूचित किया जाता है कि वह स्वयं या वकील द्वारा अपने मुकद्दमा की पैरवी इस अदालत में उपस्थित होकर 13-9-56 को 10 बजे प्रातः करे अन्यथा उसके विपरीत कार्यवाही यकतरफा अमल में लाई जावेगी।

आज बतारीख 16 माह अगस्त, सन् 1956 ई० को मेरे हस्ताक्षर व मोहर अदालत के जारी किया गया।

तारा चन्द रिवाल,

मुद्रा

अडीशनल सब जज, मन्डी।

भाग 6— भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

HOME DEPARTMENT

NOTIFICATIONS

Simla-4, the 14th August, 1956

No. HGT. 21-2/55.—The following orders issued by the Government of India, Ministry of Information and Broadcasting and published in the Gazette of India, Part II, Section 3 are hereby republished for information of general public.

1. Order No. 14/2/56-FD: App. 90, dated the 29th June, 1956.

2. Order No. 14/2/56-FD: App. 91, dated the July, 1956.

GOVERNMENT OF INDIA

MINISTRY OF INFORMATION AND BROADCASTING

ORDERS

New Delhi-2, the 29th June, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments

specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 402.	Govt. of India, Films Division, Bombay.	Govt. of India, Films Division, Bombay.	Film dealing with news and current events.

(14/2/56-FD: App. 90)

New Delhi-2, the 7th July, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 403.	Govt. of India, Films Division, Bombay.	Govt. of India, Films Division, Bombay.	Film dealing with news and current events.

(14/2/56-FD: App. 91)

D. R. KHANNA,
Under Secretary.

Simla-4, the 6th July, 1956

No. HGT. 21-2/55.—The following order issued by the Government of India, Ministry of Information and Broadcasting and published in the Gazette of India, Part II, Section 3, is hereby republished for information of general public.

Copy of order No. (14/2/56-FD: App. 86) from the Under Secretary, Government of India, Ministry of Information and Broadcasting, New Delhi.

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 398.	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.

Simla-4, the 16th August, 1956

No. HGT. 21-2/55.—The following orders issued by the Government of India, Ministry of Information and Broadcasting and published in the Gazette of India, Part II, Section 3, are hereby republished for information of general public.

1. Order No. 14/2/56-FD: App. 92, dated the 13th July, 1956.
2. Order No. 14/2/56-FD: App. 93, dated the 21st July, 1956.

New Delhi-2, the 13th July, 1956

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions, to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 404.	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.

(14/2/56-FD: App. 92)

S.R.O.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the Order of, the Government of India in the Ministry of Information and Broadcasting No. S. R. O. 945, dated the 28th April, 1955, the Central Government with previous approval of the Film Advisory Board, Bombay, hereby certifies film specified in column 2 of the schedule hereto annexed, in all its language versions to be of the description specified against it in the corresponding entry of column 5 of the said schedule.

Sl. No.	Title of the film	Name of the Producer	Source of supply	Whether a scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film
1	2	3	4	5
1	Indian News Review No. 405	Government of India, Films Division, Bombay.	Government of India, Films Division, Bombay.	Film dealing with news and current events.

(14/2/56-FD: App. 93)

K. R. CHANDEL,
Assistant Secretary.

No. C. 30/50.—A Notification No. 21/48/54-Poll. (I), dated the 8th March, 1956, issued by the Government of India, Ministry of Home Affairs, New Delhi and published in the Gazette of India, Part II, Section 3, is hereby republished for information of general public.

S.R.O. No. 625.—Whereas the places specified in the Schedule below are used for works for purposes of a public character ;

And whereas information with respect to, or the destruction or obstruction of, or interference with, the said places would be useful to an enemy ;

Now, therefore, in pursuance of sub-clause (d) of clause (8) of section 2 of the Indian Official Secrets Act, 1923 (XIX of 1923), the Central Government hereby declares the places specified in the said Schedule to be 'prohibited places' for the purposes of the said Act; and directs that a copy of this notification in English and in the vernacular of the localities be affixed to the said places.

Name of Place	LOCALITY				Boundary or other description	Remarks
	Village	Thane	Tehsil	District		
1	2	3	4	5	6	7
1. Power House, Shanan. (Joginder Nagar).	Shanan including areas of villages	Joginder Nagar	Joginder Nagar	Mandi	The total area under the power house is 154-11-16 Bighas. This area includes lands from three villages viz:	This area includes Power House quarters and Punjab Armed Police Lines

1	2	3	4	5	6	7
						and Hospital.
					(i) Village Shanar—84-13-7 Bighas,	
					(ii) village Pali—28-10-0 Bighas,	
					(iii) Village Ganain—41-8-9 Bighas.	
					Boundary:	
					On North—Mandi-Pathankote Road.	
					On South—Jungle Siwary.	
					On East—Village Ganain.	
					On West—Vedic Dispensary.	
2. Head Works, Barot.	Barot	Joginder Nagar	Joginder Nagar	Mandi	The total area is 315-11-0 Bighas. This area includes the lands of villages Barot and Ghogi (i) Village Barot 212-1-8 Bighas (ii) Village Ghogi 103-9-12 Bighas Bonadary: On North—River Uhl On South—Jungle Kog & Thoji On East—River Uhl On West—Village Ghogi.	This area includes Head Works Quarters and Trauli Path.
3. Haulage way.	From Power House to 0 point about 8 miles including works in the way adjoining the way.	do	do	do	Boundary marked for Hydro Works.	This will include the whole path excluding the Trauli path about 2 miles from which Camp to Head Geer which is the only path for the general public of ilaqa Chuhar from Barot to Joginder Nagar.

RAJ KUMAR,
Deputy Secretary.

K. R. CHANDEL,
Assistant Secretary.

No. LR. 1-89/54.—The following two ordinances recently promulgated by the President of India, and already published in the Gazette of India Extraordinary, Part II, Section 1, are hereby republished in the Himachal Pradesh State Gazette for information of the general public.

B. D. SHARMA,
Assistant Secretary (Judicial).

THE LIFE INSURANCE (EMERGENCY PROVISIONS) ORDINANCE, 1956

No. 1 OF 1956

Promulgated by the President in the Sixth Year of the
Republic of India.

An Ordinance to provide for the taking over, in the public interest, of the management of life insurance business pending nationalisation of such business.

WHEREAS it is expedient in the public interest that life insurance business should be nationalised;

AND WHEREAS it is expedient that pending such nationalisation adequate steps should be taken to protect the interests of policy holders;

AND WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. **Short title and commencement.**—(1) This Ordinance may be called the Life Insurance (Emergency Provisions) Ordinance, 1956.

(2) It shall come into force at once.

2. **Definitions.**—In this Ordinance, unless the context otherwise requires,—

(1) "appointed day" means the date on which this Ordinance comes into force;

(2) "controlled business" means—

(i) in the case of any insurer specified in sub-clause (a) (ii) or sub-clause (b) of clause (9) of section 2 of the Insurance Act and carrying on life insurance business.

(a) all his business, if he carries on no other class of insurance business;

(b) all the business appertaining to his life insurance business, if he carries on any other class of insurance business also;

(c) all his business, if his certificate of registration under the Insurance Act in respect of general insurance business stands wholly cancelled for a period of more than six months on the appointed day;

(ii) in the case of any other insurer specified in clause (9) of section 2 of the Insurance Act and carrying on life insurance business—

(a) all his business in India, if he carries on no other class of insurance business in India;

(b) all the business appertaining to his life insurance business in India, if he carries on any other class of insurance business also in India;

(c) all his business in India, if his certificate of registration under the Insurance Act in respect of general insurance business in India stands wholly cancelled for a period of more than six months on the appointed day;

(iii) in the case of a provident society, as defined section 65 of the Insurance Act, all its business;

Explanation.—An insurer is said to carry on no class of insurance business other than life insurance business if, in addition to life insurance business he carries on only capital redemption business or annuity certain business or both; and the expression "business appertaining to his life insurance business" shall be construed accordingly;

(3) "Custodian" means the person appointed under section 4 to take over the management of any controlled business;

(4) "Insurance Act" means the Insurance Act, 1938 (4 of 1938);

(5) "insurer" means an insurer as defined in the Insurance Act who carries on life insurance business in India, and includes a provident society as defined in section 65 of the Insurance Act;

(6) "notified order" means an Order notified in the Official Gazette;

(7) all other words and expressions used herein but not defined, and defined in the Insurance Act, shall have the meanings respectively assigned to them in that Act.

3. **Management of controlled business to vest in Government on commencement of Ordinance.**—(1) On and from the appointed day, the management of the controlled business of all insurers shall vest in the Central Government, and, pending the appointment of a Custodian for the controlled business of any insurer, the persons in charge of the management of such business immediately

before the appointed day shall, on and from the appointed day, be in charge of the management of the business for and on behalf of the Central Government; and the controlled business of the insurer shall be carried on by them subject to the provisions contained in sub-sections (3) and (5) and to such further directions, if any, as the Central Government may give to them by notice addressed and sent to the principal officer of the insurer.

(2) Any contract, whether express or implied, providing for the management of the controlled business of an insurer made before the appointed day between the insurer and any person in charge of the management of such business immediately before the appointed day shall be deemed to have terminated on the appointed day.

(3) No insurer shall, without the previous approval of the person specified by the Central Government in this behalf in respect of that insurer (hereinafter referred to as the authorised person),—

(a) make any payment or grant any loan in respect of a policy of life insurance otherwise than in accordance with the normal practice observed by him in respect of such matters immediately before the appointed day;

(b) incur any expenditure from the assets appertaining to the controlled business otherwise than for the purpose of making routine payments of salaries or commissions to employees, insurance agents, special agents or chief agents or for the purpose of meeting the routine day to day expenditure;

(c) transfer or otherwise dispose of any such assets or create any charge, hypothecation, lien or other encumbrance thereon;

(d) invest in any manner any moneys forming part of such assets;

(e) acquire any immovable property out of any moneys forming part of such assets;

(f) enter into any contract of service or agency, whether expressly or by implication, for purposes connected wholly or partly with the controlled business or vary the terms and conditions of any such contract subsisting on the appointed day;

(g) enter into any other transaction relating to controlled business other than a contract relating to the issue of a new policy of life insurance or vary the terms and conditions of any agreement relating to any such transaction subsisting at the commencement of this Ordinance.

(4) The approval of the authorised person may be given either generally in relation to certain classes of transactions of the insurer or specially in relation to any of his transactions.

(5) Every insurer shall deposit all securities and documents of title to any assets appertaining to the controlled business in any Scheduled Bank in which the insurer had an account immediately before the appointed day or in any branch of the State Bank in the place where the head office or the principal office of the insurer is situated or, where there is no branch of the State Bank in such place, the nearest branch of the State Bank; and no such security or document shall be withdrawn from the Scheduled Bank or the State Bank, as the case may be, except with the permission of the authorised person:

Provided that nothing contained in this sub-section shall apply to any security or document of title kept with approved trustees by reason of the provisions contained in sub-section (6) of section 27 of the Insurance Act, or kept in trust with an Official Trustee in pursuance of the articles of association of an insurer unless the Central Government, by notified order, otherwise directs.

Explanation.—In this sub-section,—

(a) Scheduled Bank means a bank included for the time being in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934);

(b) State Bank means the State Bank of India constituted under the State Bank of India Act, 1955 (23 of 1955).

(6) Every insurer shall deliver forthwith at the place and to the person specified in this behalf by the Central Government in respect of that insurer the following documents, namely:—

- (i) the minutes book or any other book in India containing all resolutions up to the appointed day of the persons in charge of the management of the controlled business before the appointed day;
- (ii) the current cheque books relating to the controlled business which are at the head office or the principal office of the insurer;
- (iii) All registers or other books containing particulars relating to the investment of any moneys appertaining to the controlled business including investments on mortgaged properties and all loans granted and advances made otherwise than on policies;
- (iv) all brokers' notes or certificates in the possession of the insurer in respect of any orders for the investment of any moneys appertaining to the controlled business;

Provided that if any document specified in this sub-section is relevant for the purpose of any business other than the controlled business carried on by the insurer, the person specified in the notified order shall be bound to return it to the persons in charge of the management of such other business with the least possible delay, but shall have power to place identification marks on such document or to take extracts or copies therefrom.

(7) Without prejudice to the generality of the powers conferred by sub-section (1) and to the provisions contained in sub-sections (3), (5) and (6), any directions issued under sub-section (1) may require the persons in charge of the management of the controlled business of an insurer under this Ordinance to furnish to the Central Government or to the authorised person such returns, statements and other information relating to the controlled business as may be mentioned in the direction.

(8) The persons in charge of the management of the controlled business of an insurer under this Ordinance shall be entitled to such remuneration, whether by way of allowance or salary as the Central Government may fix; and any such person may, by giving a month's notice in writing to the Central Government of his intention so to do, relinquish charge of the management of the controlled business.

4. Power of Central Government to appoint Custodians to take over management of controlled business—(1) The Central Government may, as soon as it is convenient administratively so to do, appoint any person as Custodian for the purpose of taking over the management of the controlled business of an insurer.

(2) On the appointment of a Custodian under sub-section (1), all persons in charge of the management of the controlled business of the insurer for and on behalf of the Central Government immediately before such appointment shall cease to be in charge of such management and shall be bound to deliver to the Custodian all books of account, registers or other documents in their custody relating to the controlled business of the insurer.

(3) Nothing contained in sub-sections (3), (5) and (6) of section 3 shall apply to any insurer the management of whose controlled business has been taken over by the Custodian, but the Central Government may issue such directions to the Custodian as to his powers and duties as it deems desirable in the circumstances of the case, and the Custodian may apply to the Central Government at any time for instructions as to the manner in which he shall conduct the management of the controlled business of the insurer or in relation to any matter arising in the course of such management.

(4) The Custodian shall receive such remuneration as the Central Government may fix; and the Central Government may at any time cancel the appointment of any person as Custodian and appoint some other person in his stead.

5. Powers of Custodian to institute proceedings etc.—The Custodian may, in relation to the controlled business of any insurer the management of which has been taken over by him, exercise all or any of the powers which the Controller of Insurance or an Administrator appointed under section 52A of the Insurance Act may exercise under section 106 or section 107 of that Act.

6. Compensation for management of controlled business vesting in Central Government.—The amount of compensation payable in respect of the vesting in the Central Government of the management of the controlled business of an insurer shall, for every month during which the management thereof remains vested in the Central Government, be a sum which is equivalent to one-twelfth of the annual average of the share of the surplus allocated to shareholders as disclosed in the abstracts prepared in accordance with Part II of the Fourth Schedule to the Insurance Act in respect of the last two actuarial investigations relating to the controlled business as at dates earlier than the first day of January, 1956:

Provided that, if in respect of the controlled business of an insurer no such surplus as is referred to in this sub-section has been allocated to shareholders either because there are no shareholders or for any other reason, the compensation shall be payable at the rate of one rupee per month for every two thousand rupees or part thereof of the premium income of the insurer relating to is controlled business during the year 1954.

7. Compensation, how to be paid and distributed.—(1) The amount of compensation payable under section 6 shall in the first instance be payable out of the seven and a half per cent of the surplus referred to in sub-section (1) of section 49 of the Insurance Act earned by the insurer during the period the management of the controlled business of the insurer vests in the Central Government, and where such compensation or any part thereof cannot be so paid out the Central Government shall make due provision for the payment of such compensation or part thereof as the case may be.

(2) The compensation payable under section 6 shall be distributed among the persons entitled thereto by the Central Government in such manner as may be prescribed by rules made in this behalf:

Provided that in the case of an insurer who is a company the Central Government shall have due regard to the wishes of the members expressed by them at any general meeting convened for the purpose.

8. Penalties.—If any person—

- (a) fails to deliver to the Custodian any books of account, registers or any other documents in his custody relating to the controlled business of an insurer in respect of the management of which the Custodian has been appointed; or
- (b) retains any property of such insurer appertaining to the controlled business of the insurer; or
- (c) fails to comply with the provisions contained in sub-section (3) or sub-section (5) or sub-section (6) of section 3; or
- (d) fails to comply with any directions issued under sub-section (1) or sub-section (7) of section 3;

he shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

9. Insurer not to be wound up by court.—No proceeding for the winding up of an insurer the management of whose controlled business has vested in the Central Government under this Ordinance or for the

appointment of a Receiver in respect of such business shall lie in any court.

10. Exclusion of time of Ordinance for computing period of limitation.—In computing the period of limitation prescribed by any law for the time being in force for any suit or application against any person by an insurer in respect of any matter arising out of his controlled business, the time during which this Ordinance is in force shall be excluded.

11. Effect of Ordinance on other laws.—The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith in any other law or in any instrument having effect by virtue of any other law.

12. Delegation of powers.—The Central Government may, by notified order, direct that all or any of the powers exercisable by it under this Ordinance may also be exercised by any such person as may be specified in the order.

13. Protection of action taken under Ordinance.—(1) No suit, prosecution or other legal proceeding shall lie against any Custodian or authorised person in respect of anything which is in good faith done or intended to be done under this Ordinance.

(2) No suit or other legal proceeding shall lie against the Central Government or any Custodian or authorised person for any damage caused or likely to be caused by anything which is in good faith done or intended to be done under this Ordinance.

14. Exemptions.—Nothing contained in this ordinance shall apply to—

- any insurer in respect of the management of whose affairs an Administrator has been appointed under section 52A of the Insurance Act;
- any insurer whose business is being voluntarily wound up or is being wound up under the orders of a court;
- any insurer to whom the Insurance Act does not apply by reason of the provisions contained in section 2E thereof;
- any approved superannuation fund as defined in clause (a) of section 58N of the Indian Income-tax Act, 1922 (11 of 1922); or
- any insurance business carried on by the Government.

15. Power to make rules.—(1) The Central Government may, by notified order, make rules to carry out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, rules made under sub-section (1) may provide for—

- the form and manner in which books of accounts appertaining to controlled business shall be maintained by insurers;
- the manner in which any compensation payable under this Ordinance may be paid to the persons entitled thereto;
- the circumstances in which the remuneration payable to persons in charge of the management of the controlled business of an insurer under this Ordinance or to Custodians shall be met by the Central Government, whether wholly or in part.

RAJENDRA PRASAD,
President.

K. Y. BHANDARKAR,
Secy. to the Govt. of India.

THE MADRAS TERMINAL TAX ON RAILWAY PASSENGERS ORDINANCE, 1956

(No. 2 of 1956)

Promulgated by the President in the Sixth Year of the Republic of India.

An Ordinance to provide for the levy for a temporary period of terminal tax on passengers carried by railway from and to certain railway stations in the State of Madras

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance:—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Madras Terminal Tax on Railway Passengers Ordinance, 1956.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. Terminal tax on passengers carried by railway leaving certain railway stations in Madras.—(1) There shall be levied on all passengers carried by railway from any of the following railway stations in the State of Madras, namely, Kumbakonam, Tiruvadamardur, Tirunagewaram, Darasuram, and Swamimalai to any other railway station in India a terminal tax in respect of every ticket (whether single or return) at the rates specified in the Schedule.

(2) A terminal tax in respect of every return ticket shall also be levied at the same rates on every passenger carried by railway to any of the aforesaid railway stations from any other railway station in India.

Explanation.—The terminal tax on a half ticket shall be one-half of the terminal tax leviable in respect of a ticket.

(3) The terminal tax specified in sub-sections (1) and (2) shall be leviable for the period commencing on the 1st day of February, 1956, and ending with the 15th day of March, 1956.

3. Mode of recovery of tax.—The terminal tax leviable under this Ordinance may be collected by the railway administration, and, where it is so collected, the railway administration shall have all the powers and remedies for the recovery thereof as though the same were a rate or fare which the railway administration is empowered to levy under the Indian Railways Act, 1890.

4. Exemptions.—Nothing contained in this Ordinance shall apply to—

- children not over three years of age;
- persons travelling on military warrants; and
- persons travelling between any such railway stations situate within a distance of thirty miles from Kumbakonam as the Central Government may, by notification in the Official Gazette, specify in this behalf.

THE SCHEDULE

(See Section 2)

Class of accommodation 1	Rates of terminal tax in respect of every ticket (whether single or return) 2		
	Rs.	A	P
Air-conditioned or First Class	0	8	0
Second Class	0	4	0
Third Class	0	2	0

RAJENDRA PRASAD,
President.

K. Y. BHANDARKAR,
Secy. to the Govt. of India.

Simla-4, the 29th March, 1956

No. LR. 1-89/54.—The Bar Council (Validation of State Laws) Act, 1956 (No. 4 of 1956), recently passed by the Parliament of India, and already published in the Gazette of India, Extraordinary, Part II, Section I, dated 13th March, 1956, is hereby republished in the Himachal Pradesh Government Gazette for the information of the general public.

By order,
B. D. SHARMA,
Assistant Secretary (Judicial).

Received Assent on 13-3-1956

THE BAR COUNCILS (VALIDATION OF STATE LAWS) ACT, 1956

(4 OF 1956)

AN
ACT

to validate certain State laws amending the Indian Bar Councils Act, 1926.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Bar Councils (Validation of State Laws) Act, 1956.

2. **Validation of certain State laws amending the Indian Bar Councils Act, 1926 (38 of 1926).**—The laws specified in the Schedule shall be, and shall be deemed always to have been, as valid as if the provisions contained therein had been enacted by Parliament.

THE SCHEDULE

(See Section 2)

1. The Indian Bar Councils (Andhra Amendment) Act, 1954 (President's Act VII of 1954).
2. The Indian Bar Councils (Uttar Pradesh Amendment) Act, 1950 (U.P. Act XXIV of 1950).
3. The Indian Bar Councils (Madras Amendment) Act, 1954 (Madras Act XXXV of 1954).

Simla-4, the 16th July, 1956

No. LR. 1-80/55.—The following Acts recently passed by the Parliament of India and already published in the Gazette of India, Extraordinary, Part II, Section I, dated 5th June, 1956 and 8th June, 1956, respectively are hereby republished in the Himachal Pradesh Government Gazette for the information of the general public.

LAKSHMAN DASS,
Assistant Secretary (Judicial).

Received Assent on 2-6-56

THE ALL-INDIA INSTITUTE OF MEDICAL SCIENCES ACT, 1956

(25 OF 1956)

AN
ACT

to provide for the establishment of an All-India Institute of Medical Sciences.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the All-India Institute of Medical Sciences Act, 1956.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Definitions.**—In this Act unless the context otherwise requires,—

(a) 'Fund' means the fund of the Institute referred to in section 16;

(b) 'Governing Body' means the Governing Body of the Institute;

(c) 'Institute' means the All-India Institute of Medical Sciences established under section 3;

(d) 'member' means a member of the Institute;

(e) 'regulation' means a regulation made by the Institute;

(f) 'rule' means a rule made by the Central Government.

3. **Establishment and incorporation of the Institute.**—(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint in this behalf, there shall be established for the purposes of this Act an institution to be called the All-India Institute of Medical Sciences.

(2) The Institute shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable, and to contract, and shall by the said name sue and be sued.

4. **Composition of the Institute.**—The Institute shall consist of the following members, namely:—

- (a) the Vice Chancellor of the Delhi University, *ex-officio*
- (b) the Director General of Health Services, Government of India, *ex-officio*;
- (c) the Director of the Institute, *ex-officio*;
- (d) two representatives of the Central Government to be nominated by that Government, one from the Ministry of Finance and one from the Ministry of Education;
- (e) five persons of whom one shall be a non-medical scientist representing the Indian Science Congress Association, to be nominated by the Central Government;
- (f) four representatives of the medical faculties of Indian Universities to be nominated by the Central Government in the manner prescribed by rules; and
- (g) three members of Parliament of whom two shall be elected from among themselves by the members of the House of the People and one from among themselves by the members of the Council of States.

5. **Declaration of the Institute as an institution of national importance.**—It is hereby declared that the Institute shall be an institution of national importance.

6. **Term of office of, and vacancies among, members.**—(1) Save as other wise provided in this section, the term of office of a member shall be five years from the date of his nomination or election:

Provided that the term of office of a member elected under clause (g) of section 4 shall come to an end as soon as he ceases to be a member of the House from which he was elected.

(2) The term of office of an *ex-officio* member shall continue so long as he holds the office in virtue of which he is such a member.

(3) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is nominated or elected.

(4) An out-going member shall, unless the Central Government otherwise directs, continue in office until another person is nominated or elected as a member in his place.

(5) An out-going member shall be eligible for re-nomination or re-election.

(6) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office until his resignation is accepted by that Government.

(7) The manner of filling vacancies among members shall be such as may be prescribed by rules.

7. President of the Institute.—(1) There shall be a President of the Institute who shall be nominated by the Central Government from among the members other than the Director of the Institute.

(2) The President shall exercise such powers and discharge such functions as are laid down in this Act or as may be prescribed by rules or regulations.

8. Allowances of President and members.—The President and members shall receive such allowances, if any, from the institute as may be prescribed by rules.

9. Meetings of the Institute.—The institute shall hold its first meeting at such time and place as may be appointed by the Central Government and shall observe such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by that Government; and thereafter the Institute shall meet at such times and places and observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by regulations.

10. Governing body and other Committees of the Institute.—(1) There shall be a Governing Body of the Institute which shall be constituted by the Institute from among its members in such manner as may be prescribed by regulations.

(2) The Governing Body shall be the executive Committee of the Institute and shall exercise such powers and discharge such functions as the Institute may, by regulations made in this behalf, confer or impose upon it.

(3) The President of the Institute shall be the Chairman of the Governing Body and as Chairman thereof shall exercise such powers and discharge such functions as may be prescribed by regulations.

(4) The procedure to be followed in the exercise of its powers and discharge of its functions by the Governing Body, and the term of office of, and the manner of filling vacancies among, the members of the Governing Body shall be such as may be prescribed by regulations.

(5) Subject to such control and restrictions as may be prescribed by rules, the Institute may constitute as many standing Committees and as many *ad hoc* committees as it thinks fit for exercising any power or discharging any function of the Institute or for inquiring into, or reporting or advising upon, any matter which the Institute may refer to them.

(6) A standing committee shall consist exclusively of members of the Institute; but an *ad hoc* committee may include persons who are not members of the Institute but the number of such persons shall not exceed one-half of its total membership.

(7) The Chairman and members of the Governing Body and the Chairman and members of a standing committee or an *ad hoc* committee shall receive such allowances, if any, as may be prescribed by regulations.

11. Staff of the Institute.—(1) There shall be a chief executive officer of the Institute who shall be designated as the Director of the Institute and shall, subject to such rules as may be made by the Central Government in this behalf, be appointed by the Institute:

Provided that the first Director of the Institute shall be appointed by the Central Government.

(2) The Director shall act as the Secretary to the Institute as well as the Governing Body.

(3) The Director shall exercise such powers and discharge such functions as may be prescribed by regulations or as may be delegated to him by the Institute or the President of the Institute or by the Governing Body or the Chairman of the Governing Body.

(4) Subject to such rules as may be made by the Central Government in this behalf, the Institute may appoint such number of other officers and employees as may be necessary for the exercise of its powers and discharge of its functions and may determine the designations and grades of such other officers and employees.

(5) The Director and other officers and employees of the institute shall be entitled to such salary and allowances

and shall be governed by such conditions of service in respect of leave, pension, provident fund and other matters as may be prescribed by regulations made in this behalf.

12. Location of the Institute.—The Institute shall be located in New Delhi.

13. Objects of the Institute.—The objects of the Institute shall be—

(a) to develop patterns of teaching in undergraduate and postgraduate medical education in all its branches so as to demonstrate a high standard of medical education to all medical colleges and other allied institutions in India;

(b) to bring together in one place educational facilities of the highest order for the training of personnel in all important branches of health activity; and

(c) to attain self-sufficiency in postgraduate medical education.

14. Functions of the Institute.—With a view to the promotion of the objects specified in section 13, the Institute may—

(a) provide for undergraduate and postgraduate teaching in the science of modern medicine and other allied sciences, including physical and biological sciences;

(b) provide facilities for research in the various branches of such sciences;

(c) provide for the teaching of humanities in the undergraduate courses;

(d) conduct experiments in new methods of medical education, both undergraduate and postgraduate, in order to arrive at satisfactory standards of such education;

(e) prescribe courses and curricula for both undergraduate and postgraduate studies;

(f) notwithstanding any thing contained in any other law for the time being in force, establish and maintain—

(i) one or more medical colleges with different departments, including a department of preventive and social medicine, sufficiently staffed and equipped to undertake not only undergraduate medical education but also postgraduate medical education in different subjects;

(ii) one or more well-equipped hospitals;

(iii) a dental college with such institutional facilities for the practice of dentistry and for the practical training of students as may be necessary;

(iv) a nursing college sufficiently staffed and equipped for the training of nurses;

(v) rural and urban health organisations which will form centres for the field training of the medical, dental and nursing students of the Institute as well as for research into community health problems; and

(vi) other institutions for the training of different types of health workers, such as physiotherapists, occupational therapists and medical technicians of various kinds;

(g) train teachers for the different medical colleges in India;

(h) hold examinations and grant such degrees, diplomas and other academic distinctions and titles in undergraduate and postgraduate medical education as may be laid down in the regulations;

(i) institute, and appoint persons to, professorships, readerships, lectureships and posts of any description in accordance with regulations;

(j) receive grants from the Government and gifts, donations, benefactions, bequests and transfers of properties, both movable and immovable, from donors, benefactors, testators or transferors, as the case may be;

- (k) deal with any property belonging to, or vested in, the Institute in any manner which is considered necessary for promoting the objects specified in section 13;
- (l) demand and receive such fees and other charges as may be prescribed by regulations;
- (m) do all such other acts and things as may be necessary to further the objects specified in section 13.

15. Payment to the Institute.—The Central Government may, under appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as may be considered necessary by that Government for the exercise of its powers and discharge of its functions under this Act.

16. Fund of the Institute.—(1) The Institute shall maintain a Fund to which shall be credited—

- (a) all moneys provided by the Central Government;
- (b) all fees and other charges received by the Institute;
- (c) all moneys received by the Institute by way of grants, gifts, donations, benefactions bequests or transfers; and
- (d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions under section 14.

17. Budget of the Institute.—The institute shall prepare in such form and at such time every year as may be prescribed by rules a budget in respect of the financial year next ensuing the estimated receipts and expenditure of the Institute and shall forward to the Central Government such number of copies thereof as may be prescribed by rules.

18. Accounts and audit.—(1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as the Central Government may by rules prescribe in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute as well as of the institutions established and maintained by it.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

19. Annual report.—The Institute shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed by rules and a copy of this report shall be laid before both Houses of Parliament within one month of its receipt.

20. Pension and provident funds.—(1) The Institute shall constitute for the benefit of its officers, teachers and

other employees in such manner and subject to such conditions as may be prescribed by regulations, such pension and provident funds as it may deem fit.

(2) Where any such pension or provident fund has been constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (19 of 1925), shall apply to such fund as if it were a Government provident fund.

21. Authentication of the orders and instruments of the Institute.—All orders and decisions of the Institute shall be authenticated by the signature of the President or any other member authorised by the Institute in this behalf, and all other instruments shall be authenticated by the signature of the Director or any other officer of the Institute authorised in like manner in this behalf.

22. Acts and proceedings not to be invalidated by vacancies, etc.—No act done or proceeding taken by the Institute, Governing Body or any standing or *ad hoc* committee under this Act shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Institute, Governing Body or such standing or *ad hoc* committee.

23. Recognition of medical qualifications granted by the Institute.—Notwithstanding anything contained in the Indian Medical Council Act, 1933 (27 of 1933), the medical degrees and diplomas granted by the Institute under this Act shall be recognised medical qualifications for the purposes of that Act and shall be deemed to be included in the First Schedule to that Act.

24. Grant of medical degrees, diplomas, etc., by the Institute.—Notwithstanding anything contained in any other law for the time being in force, the Institute shall have power to grant medical degrees, diplomas and other academic distinctions and titles under this Act.

25. Control by Central Government.—The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

26. Disputes between the Institute and the Central Government.—If in, or in connection with, the exercise of its powers and discharge of its functions by the Institute under this Act, any dispute arises between the Institute and the Central Government, the decision of the Central Government on such dispute shall be final.

27. Returns and information.—The Institute shall furnish to the Central Government such reports, returns and other information as that Government may require from time to time.

28. Power to make rules.—(1) The Central Government, after consultation with the Institute, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that consultation with the Institute shall not be necessary on the first occasion of the making of rules under this section, but the Central Government shall take into consideration any suggestions which the Institute may make in relation to the amendment of such rules after they are made.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the manner of nomination of members under clause (f) of section 4;
- (b) the control and restrictions in relation to the constitution of standing and *ad hoc* committee under sub-section (5) of section 10;
- (c) the conditions of service of, the procedure to be followed by, and the manner of filling vacancies among, members of the Institute;
- (d) the powers and functions to be exercised and discharged by the President of the Institute;
- (e) the allowances, if any, to be paid to the President and members of the Institute;
- (f) the number of officers and employees that may be appointed by the Institute and the manner of such appointment;

- (g) the form in which and the time at which the budget and reports shall be prepared by the Institute and the number of copies thereof to be forwarded to the Central Government;
 - (h) the form and manner in which returns and information are to be furnished by the Institute to the Central Government;
 - (i) any other matter which has to be or may be prescribed by rules.
- (3) All rules made under this section shall, as soon as may be after they are made, be laid before both Houses of Parliament.

29. Power to make regulations.—(1) The Institute may, with the previous approval of the Central Government, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act, and without prejudice to the generality of this power, such regulations may provide for—

- (a) the summoning and holding of meetings other than the first meeting, of the Institute, the time and place where such meetings are to be held, the conduct of business at such meetings and the number of members necessary to form a quorum;
- (b) the manner of constituting the Governing Body and standing and *ad hoc* committees, the term of office of, and the manner of filling vacancies among, the members of, the Governing Body and standing and *ad hoc* committees;
- (c) the powers and functions to be exercised and discharged by the President of the Institute and the Chairman of the Governing Body;
- (d) the allowances, if any, to be paid to the Chairman and the members of the Governing Body and of standing and *ad hoc* committees;
- (e) the procedure to be followed by the Governing Body and standing and *ad hoc* committees in the conduct of their business, exercise of their powers and discharge of their functions;
- (f) the tenure of office, salaries and allowances and other conditions of service of the Director and other officers and employees of the Institute including teachers appointed by the Institute;
- (g) the powers and duties of the Chairman of the Governing Body;
- (h) the powers and duties of the Director and other officers and employees of the Institute;
- (i) the management of the properties of the Institute;
- (j) the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute;
- (k) the professorships, readerships, lectureships and other posts which may be instituted and persons who may be appointed to such professorships, readerships, lectureships and other posts;
- (l) the fees and other charges which may be demanded and received by the Institute;
- (m) the manner in which, and the conditions subject to which, pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute;
- (n) any other matter for which under this Act provisions may be made by regulations.

(2) Until the Institute is established under this Act, any regulation which may be made under sub-section (1) may be made by the Central Government; and any regulation so made may be altered or rescinded by the Institute in exercise of its powers under sub-section (1).

Received Assent on 2-6-56

THE INDIAN INCOME-TAX (AMENDMENT) ACT, 1956

(26 OF 1956)

AN

ACT

Further to amend the Indian Income-tax Act, 1922.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Indian Income-tax (Amendment) Act, 1956.

2. Amendment of section 5, Act II of 1922.—In sub-section (7A) of section 5 of the Indian Income-tax Act, 1922, the following *Explanation* shall be, and shall be deemed always to have been, inserted at the end, namely:—

“*Explanation.*—In this sub-section, ‘case’ in relation to any person whose name is specified in the order of transfer means all proceedings under this Act in respect of any year which may be pending on the date of the transfer and includes all proceedings under this Act which may be commenced after the date of the transfer in respect of any year.”

Received Assent on 6-6-56

THE REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT) ACT, 1956

(27 OF 56)

AN

ACT

Further to amend the Representation of the People Act, 1951 and to make certain consequential amendments in the Government of Part C States Act, 1951.

BE it enacted by Parliament in the Seventh Year of the Republic of India as follows:—

1. Short title and commencement.—(1) This Act may be called the Representation of the People (Second Amendment) Act, 1956.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of long title.—In the long title of the Representation of the People Act, 1951 (43 of 1951) (hereafter in this Act referred to as the principal Act), the words “and illegal” shall be omitted.

3. Amendment of section 2.—In section 2 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (b), for the words ‘to a primary election’, the words and letter ‘the electoral college of a scheduled Part C State’ shall be substituted;

(ii) after clause (b), the following clause shall be inserted, namely:—

“(bb) ‘chief electoral officer’ means the officer appointed under section 13A of the Representation of the People Act, 1950.”;

(iii) in clause (c), the words and figures “or section 124” shall be omitted;

(iv) in clause (d), for the words ‘and includes a primary election’, the words and letter ‘or in the electoral college of a scheduled Part C State’ shall be substituted;

(v) for clause (e), the following clause shall be substituted, namely:—

“(e) ‘elector’ in relation to a constituency means a person whose name is entered in the electoral roll of that constituency for the time being in force and who is not subject to any of the disqualifications mentioned in section 16 of the Representation of the People Act, 1950”;

(vi) clause (f) shall be omitted;

(vii) clauses (h) and (i) shall be omitted;

(viii) clauses (j), (k) and (l) shall be re-lettered as clauses (h), (i) and (k) respectively and after clause (i) as so re-lettered, the following clause shall be inserted, namely:—

“(j) ‘State Government’ in relation to a Part C State, means the Lieutenant-Governor or Chief Commissioner thereof”;

(b) in sub-section (2), for the words ‘a Council of States constituency’, the words ‘an electoral college constituency’ shall be inserted;

(c) in sub-section (3), for the words ‘to a primary election’, the words and letter ‘the electoral college of a scheduled Part C State’ shall be substituted;

(d) sub-sections (5) and (7) shall be omitted and sub-section (6) shall be re-numbered as sub-section (5).

4. Amendment of section 7.—In section 7 of the principal Act,—

(a) in clause (a), the words “or illegal” shall be omitted;

(b) at the end of clause (a), the following words shall be added, namely:—

“or the Election Commission has removed the disqualification”;

(c) in clause (b), the words “to transportation or” shall be omitted; and

(d) for clause (c) the following clause shall be substituted, namely:—

“(c) if he has failed to lodge an account of his election expenses within the time and in the manner required by or under this Act, unless three years have elapsed from the date by which the account ought to have been lodged or the Election Commission has removed the disqualification;”

5. Amendment of section 8. In section 8 of the principal Act, in sub-section (1):—

(a) for clause (b), the following clause shall be substituted, namely:—

“(b) a disqualification under clause (c) of that section shall not take effect until the expiration of two months from the date on which the Election Commission has decided that the account of election expenses has not been lodged within the time and in the manner required by or under this Act;”

(b) clause (g) shall be omitted.

6. Amendment of section 10.—In section 10 of the principal Act, for the words ‘Council of States’, the words ‘electoral college’ shall be substituted.

7. Substitution of new Part for Part III.—For Part III of the principal Act, the following Part shall be substituted, namely:—

“PART III

NOTIFICATION OF GENERAL ELECTIONS

12. Notification for biennial election to the Council of States.—For the purpose of filling the seats of member of the Council of States retiring on the expiration of their term of office the President shall, by one or more notifications published in the Gazette of India on such date or dates as may be recommended by the Election Commission, call upon the elected members of the Legislative Assembly or, as the case may be, the members of the electoral college of each State concerned to elect members in accordance with the provisions of this Act and of the rules and orders made thereunder:

Provided that no notification under this section shall be issued more than three months prior to the date on which the term of office of the retiring members is due to expire.

13. Notification for reconstitution of electoral colleges for certain Part C States.—For the purpose of reconstituting the electoral college for a scheduled Part C State, the President shall, by notification published in the Gazette of India, call upon all electoral college constituencies in the State to elect members in accordance with the provisions of this Act and of the rules and orders made thereunder:

Provided that every such notification shall be issued at the same time as a notification calling upon the parliamentary constituencies in the State to elect members for the purpose of constituting a new House of the People is issued.

14. Notification for general election to the House of the People.—(1) A general election shall be held for the purpose of constituting a new House of the People on the expiration of the duration of the existing House or on its dissolution.

(2) For the said purpose the President shall, by one or more notifications published in the Gazette of India on such date or dates as may be recommended by the Election Commission, call upon all parliamentary constituencies to elect members in accordance with the provisions of this Act and of the rules and orders made thereunder:

Provided that where a general election is held otherwise than on the dissolution of the existing House of the People, no such notification shall be issued at any time earlier than six months prior to the date on which the duration of that House would expire under the provisions of clause (2) of article 83.

15. Notification for general election to a State Legislative Assembly.—(1) A general election shall be held for the purpose of constituting a new Legislative Assembly on the expiration of the duration of the existing Assembly or on its dissolution.

(2) For the said purpose, the Governor, Rajpramukh, Lieutenant-Governor or Chief Commissioner, as the case may be, shall, by one or more notifications published in the Official Gazette of the State on such date or dates as may be recommended by the Election Commission, call upon all assembly constituencies in the State to elect members in accordance with the provisions of this Act and of the rules and orders made thereunder:

Provided that where a general election is held otherwise than on the dissolution of the existing Legislative Assembly, no such notification shall be issued at any time earlier than six months prior to the date on which the duration of that Assembly would expire under the provisions of clause (1) of article 172 or under the provisions of section 5 of the Government of Part C States Act, 1951, (49 of 1951) as the case may be.

16. Notification for biennial election to a State Legislative Council.—For the purpose of filling the seats of members of the Legislative Council of a State retiring on the expiration of their term of office, the Governor or Rajpramukh, as the case may be, shall, by one or more notifications published in the Official Gazette of the State on such date or dates as may be recommended by the Election Commission, call upon the members of the Legislative Assembly of the State and all the council constituencies concerned to elect members in accordance with the provisions of this Act and of the rules and orders made thereunder:

Provided that no notification under this section shall be issued more than three months prior to the

date on which the term of office of the retiring members is due to expire.”.

8. Amendment of section 19.—In section 19 of the principal Act, for the words ‘a Council of States Constituency’, the words ‘an electoral college constituency’ shall be substituted.

9. Substitution of new sections for sections 20 and 21.—For sections 20 and 21 of the principal Act, the following sections shall be substituted, namely:—

“20. General duties of chief electoral officer.—Subject to the superintendence, direction and control of the Election Commission, the chief electoral officer of each State shall supervise the conduct of all elections in the State under this Act.

21. Returning officers.—For every constituency, for every election to fill a seat or seats in the Council of States and for every election by the members of the Legislative Assembly of a State to fill a seat or seats in the Legislative Council of the State, the Election Commission shall, in consultation with the Government of the State, designate or nominate a returning officer who shall be an officer of Government:

Provided that nothing in this section shall prevent the Election Commission from designating or nominating the same person to be the returning officer for more than one constituency.”.

10. Amendment of section 22.—In section 22 of the principal Act, in the proviso to sub-section (2), the words “to the acceptance of a nomination paper or” and the words “or to the counting of votes” shall be omitted.

11. Amendment of section 25.—In section 25 of the principal Act, after the words, “polling areas”, the words “or groups of voters” shall be inserted.

12. Amendment of section 26.—In section 26 of the principal Act, to sub-section (1), the following further proviso shall be added, namely:—

“Provided further that nothing in this sub-section shall prevent the returning officer from appointing the same person to be the presiding officer for more than one polling station in the same ‘pre-mises’.”.

13. Amendment of section 29.—In section 29 of the principal Act, in sub-section (1), the words and brackets ‘(other than a primary election)’ shall be omitted.

14. Substitution of new section for section 30.—For section 30 of the principal Act, the following section shall be substituted, namely:—

“30. Appointment of dates for nominations, etc.—As soon as the notification calling upon a constituency to elect a member or members is issued, the Election Commission shall, by notification in the Official Gazette, appoint—

(a) the last date for making nominations, which shall be the tenth day after the date of publication of the first-mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(b) the date for the scrutiny of nominations, which shall be the third day after the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(c) the last date for the withdrawal of candidatures, which shall be the third day after the date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not public holiday;

(d) the date or dates on which a poll shall, if necessary, be taken, which or the first of which shall be a date not earlier than the twentieth day after the last date for the withdrawal of candidatures; and

(e) the date before which the election shall be completed.

Explanation.—In this section, “public holiday” means any day which is a public holiday for the purposes of section 25 of the Negotiable Instruments Act, 1881, (26 of 1881) or any day which has been notified by the State Government to be a holiday for the Government offices in the State.”.

15. Amendment of section 32.—In section 32 of the principal Act,—

(a) the words “in any constituency” shall be omitted; and

(b) after the words “this Act”, the words, letter and figures or under the provisions of the Government of Part C States Act, 1951 49 of 1951 as the case may be” shall be added.

16. Substitution of new section for section 33.—For section 33 of the principal Act, the following section shall be substituted, namely:—

“33. Presentation of nomination paper and requirements for a valid nomination.—(1) On or before the date appointed under clause (a) of section 30 each candidate shall, either in person or by his proposer, between the hours of eleven o’clock in the forenoon and three o’clock in the afternoon deliver to the returning officer at the place specified in this behalf in the notice issued under section 31 a nomination paper completed in the prescribed form and signed by the candidate and by an elector of the constituency as proposer.

(2) In a constituency where any seat is reserved, a candidate shall not be deemed to be qualified to be chosen to fill that seat unless his nomination paper contains a declaration by him specifying the particular caste or tribe of which he is a member and the area in relation to which that caste or tribe is a Scheduled Caste or, as the case may be, a Scheduled Tribe of the State.

(3) Where the candidate is a person who, having held any office referred to in clause (f) of section 7, has been dismissed and a period of five years has not elapsed since the dismissal, such person shall not be deemed to be duly nominated as a candidate unless his nomination paper is accompanied by a certificate issued in the prescribed manner by the Election Commission to the effect that he has not been dismissed for corruption or disloyalty to the State.

(4) On the presentation of a nomination paper, the returning officer shall satisfy himself that the names and electoral roll numbers of the candidate and his proposer as entered in the nomination paper are the same as those entered in the electoral rolls:

Provided that the returning officer shall permit any clerical or technical error in the nomination paper in regard to the said names or numbers to be corrected in order to bring them into conformity with the corresponding entries in the electoral rolls; and where necessary, direct that any clerical or printing error in the said entries shall be overlooked.

(5) Where the candidate is an elector of a different constituency, a copy of the electoral roll of that constituency of the relevant part thereof or a certified copy of the relevant entries in such roll shall, unless it has been filed along with the nomination paper, be produced before the returning officer at the time of scrutiny.

(6) Nothing in this section shall prevent any candidate from being nominated by more than one nomination paper for election in the same constituency.”.

17. Amendment of section 34.—In section 34 of the principal Act, for sub-section (1), the following sub-section

shall be substituted, namely:—

“(1) A candidate shall not be deemed to be duly nominated for election from a constituency unless he deposits or causes to be deposited—

- (a) in the case of an election from a parliamentary constituency, a sum of five hundred rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of two hundred and fifty rupees;
- (b) in the case of an election from an assembly or council constituency, a sum of two hundred and fifty rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of one hundred and twenty-five rupees; and
- (c) in the case of an election from an electoral college constituency, a sum of fifty rupees:

Provided that where a candidate has been nominated by more than one nomination paper for election in the same constituency, not more than one deposit shall be required of him under this sub-section.”

18. Amendment of section 35.—In section 35 of the principal Act, for the words ‘the persons who have subscribed the nomination paper, as proposer and seconder’, the words ‘the proposer’ shall be substituted.

19. Amendment of section 36.—In section 36 of the principal Act,—

(a) in sub-section (1), the words “and one seconder” shall be omitted;

(b) In sub-section (2),—

(i) for the word ‘refuse’, the word ‘reject’ shall be substituted; and

(ii) for clauses (a) to (e), the following clauses shall be substituted, namely:—

“(a) that the candidate either is not qualified or is disqualified for being chosen to fill the seat under any of the following provisions that may be applicable, namely:—

articles 84, 102, 173 and 191, Part II of this Act, and section 7 and 17 of the Government of Part C States Act, 1951, (49 of 1951) or

(b) that there has been a failure to comply with any of the provisions of section 33 or section 34; or

(c) that the signature of the candidate or the proposer on the nomination paper is not genuine.”;

(c) in sub-section (3),—

(i) for the words, brackets and letters “clause (c), clause (d) or clause (e)”, the words, brackets and letters “clause (b) or clause (c)” shall be substituted; and

(ii) for the word ‘refusal’, the word ‘rejection’ shall be substituted;

(d) in sub-section (4), the word “technical” shall be omitted;

(e) for sub-section (7), the following sub-sections shall be substituted, namely:—

“(7) For the purposes of this section, a certified copy of an entry in the electoral roll for the time being in force of a constituency shall be conclusive evidence of the fact that the person referred to in that entry is an elector for that constituency, unless it is proved that he is subject to a disqualification mentioned in section 16 of the Representation of the People Act, 1950, (43 of 1950).

(8) Immediately after all the nomination papers have been scrutinized and decisions accepting or rejecting the same have been recorded, the returning officer shall prepare a list of validly nominated candidates, that is to say, candidates

whose nominations have been found valid, and affix it to his notice board.”.

20. Amendment of section 37.—In section 37 of the principal Act, in sub-section (1), the word “seconder” and the proviso shall be omitted.

21. Substitution of new section for section 38.—For section 38 of the principal Act, the following section shall be substituted, namely:—

“38. Publication of list of contesting candidates.—

(1) Immediately after the expiry of the period within which candidatures may be withdrawn under sub-section (1) of section 37, the returning officer shall prepare and publish in such form and manner as may be prescribed a list of contesting candidates, that is to say, candidates who were included in the list of validly nominated candidates and who have not withdrawn their candidature within the said period.

(2) The said list shall contain the names in alphabetical order and the addresses of the contesting candidates as given in the nomination papers together with such other particulars as may be prescribed.”.

22. Substitution of new section for section 39.—For section 39 of the principal Act, the following section shall be substituted, namely:—

“39. Nomination of candidates at other elections.—

(1) As soon as the notification calling upon the elected members or the members of the Legislative Assembly of a State or the members of the electoral college of a Part C State to elect a member or members is issued, the Election Commission shall, by notification in the Official Gazette, appoint—

(a) the last date for making nominations, which shall be the tenth day after the date of publication of the first-mentioned notification or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(b) the date for the scrutiny of nominations, which shall be the second day after the last date for making nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(c) the last date for the withdrawal of candidatures, which shall be the third day after the date for the scrutiny of nominations or, if that day is a public holiday, the next succeeding day which is not a public holiday;

(d) the date or dates on which a poll shall, if necessary, be taken, which or the first of which shall be a date not earlier than the seventh day after the last date for the withdrawal of candidatures; and

(e) the date before which the election shall be completed.

Explanation.—In this section, “public holiday” has the same meaning as in section 30.

(2) The provisions of sections 31 to 38, excluding sub-sections (2) and (5) of section 33 and section 34, shall apply in relation to any such election as they apply in relation to an election in any constituency:

Provided that—

(a) any references in the said provisions to the electoral roll of the constituency shall, unless the context otherwise requires, be construed, in the case of an election by the members or the elected members of the Legislative Assembly of the State, as references to the list of members or elected members, as the case may be, of that Assembly maintained under sub-section (1) of section 152, and in the case of an election by the members of the electoral college of a Part C State, as references to the list of members of such electoral college maintained under sub-section (2) of that section;

- (b) any references in the said provisions to section 30 shall be construed as references to sub-section (1) of this section; and
- (c) at the time of presenting the nomination paper, the returning officer may require the person presenting the same to produce either a copy of the electoral roll, or part of the electoral roll, in which the name of the candidate is included or a certified copy of the relevant entries in such roll."
- 23. Substitution of new section for section 40.**—For section 40 of the principal Act, the following section shall be substituted, namely:—
- "40. Election agents.—A candidate at an election may appoint in the prescribed manner any one person other than himself to be his election agent and when any such appointment is made, notice of the appointment shall be given in the prescribed manner to the returning officer."
- 24. Amendment of section 42.**—In section 42 of the principal Act,—
- (a) in sub-section (1), the words "whether he be the candidate himself or not" shall be omitted; and
- (b) for sub-section (2), the following sub-section shall be substituted, namely:—
- "(2) In the event of such a revocation or of the death of an election agent whether that event occurs before or during the election, or after the election but before the account of the candidate's election expenses has been lodged in accordance with the provisions of section 78, the candidate may appoint in the prescribed manner another person to be his election agent and when such appointment is made notice of the appointment shall be given in the prescribed manner to the returning officer."
- 25. Omission of sections 43 and 44.**—In sections 43 and 44 of the principal Act shall be omitted.
- 26. Substitution of new section for section 45.**—For section 45 of the principal Act, the following section shall be substituted, namely:—
- "45. Functions of election agents.—An election agent may perform such functions in connection with the election as are authorised by or under this Act to be performed by an election agent."
- 27. Substitution of new section for section 46.**—For section 46 of the principal Act, the following section shall be substituted, namely:—
- "46. Appointment of polling agents.—A contesting candidate or his election agent may appoint in the prescribed manner such number of agents and relief agents as may be prescribed to act as polling agents of such candidate at each polling station provided under section 25 or at the place fixed under sub-section (1) of section 29 for the poll."
- 28. Substitution of new section for section 47.**—For section 47 of the principal Act, the following section shall be substituted, namely:—
- "47. Appointment of counting agents.—A contesting candidate or his election agent may appoint in the prescribed manner one or more persons, but not exceeding such number as may be prescribed, to be present as his counting agent or agents at the counting of votes, and when any such appointment is made notice of the appointment shall be given in the prescribed manner to the returning officer."
- 29. Amendment of section 52.**—In section 52 of the principal Act,—
- (a) for the words "If a candidate who has been duly nominated under this Act dies after the date fixed for the scrutiny of nominations and a report of his death is received by the Returning Officer", the words "If a contesting candidate dies and a report of his death is received" shall be substituted;
- (b) for the first proviso, the following proviso shall be substituted, namely:—
- "Provided that no further nomination shall be necessary in the case of a person who was a contesting candidate at the time of the countermanding of the poll"; and
- (c) in the second proviso, for the words, brackets and figures "under sub-section (1) of section 37 given a notice of withdrawal of his candidature", the words, brackets, figures and letter "given a notice of withdrawal of his candidature under sub-section (1) of section 37 or a notice of retirement from the contest under sub-section (2) of section 55A" shall be substituted.
- 30. Amendment of section 53.**—In section 53 of the principal Act,—
- (a) for sub-section (1), the following sub-section shall be substituted, namely:—
- "(1) If the number of contesting candidates is more than the number of seats to be filled, a poll shall be taken."; and
- (b) in sub-section (3),—
- (i) for the words "appropriate authority" wherever they occur, the words "Election Commission" shall be substituted;
- (ii) the words "before such date as may be appointed in this behalf by the Election Commission and specified in the notification" shall be omitted; and
- (iii) in the proviso, for the words "until such date as the Election Commission may specify in this behalf" the words "until it is satisfied that if called upon again, there will be no such failure on the part of the constituency or such members" shall be substituted.
- 31. Amendment of section 54.**—In section 54 of the principal Act,—
- (a) for the words "number of candidates" wherever they occur, the words "number of contesting candidates" shall be substituted;
- (b) in sub-section (4),—
- (i) for the words, brackets and figures "the procedure laid down in sub-section (1) of section 53 shall be followed", the words "a poll shall be taken" shall be substituted; and
- (ii) in the *Illustration*, for the words "six candidates", the words "six contesting candidates" shall be substituted;
- (c) in sub-section (5),—
- (i) for the words "appropriate authority" wherever they occur, the words "Election Commission" shall be substituted;
- (ii) the words "before such date as may be appointed in this behalf by the Election Commission and specified in the notification" shall be omitted; and
- (iii) in the proviso, for the words "until such date as the Election Commission may specify in this behalf" the words "until it is satisfied that if called upon again, there will be no such failure on the part of the constituency or such members" shall be substituted; and
- (d) sub-section (6) shall be omitted.
- 32. Amendment of section 55.**—In section 55 of the principal Act, the words, letter and figures "or under the Government of Part C States Act, 1951, (49 of 1951) as the case may be" shall be added at the end.
- 33. Insertion of new section after section 55 in Chapter III.**—After section 55 of the principal Act, the following section shall be inserted in Chapter III, namely:—
- "55A. Retirement from contest at elections in parliamentary and assembly constituencies.—(1) The pro-

visions of this section shall apply in relation to any election in a parliamentary or assembly constituency.

- (2) A contesting candidate may retire from the contest by a notice in the prescribed form which shall be delivered to the returning officer between the hours of eleven o'clock in the forenoon and three o'clock in the afternoon of any day not later than ten days prior to the date or the first of the dates fixed for the poll under clause (d) of section 30 either by such candidate in person or by an agent authorised in this behalf in writing by such candidate.
- (3) No person who has given a notice of retirement under sub-section (2) shall be allowed to cancel the notice.
- (4) The returning officer shall, upon receiving a notice of retirement under sub-section (2), cause a copy thereof to be affixed to his notice board and also to be published in such manner as may be prescribed.
- (5) Any person who has given a notice of retirement under sub-section (2) shall thereafter be deemed not to be a contesting candidate for the purposes of section 52.
- (6) Where by reason of any retirement from the contest under this section, the number of remaining contesting candidates becomes equal to the number of seats to be filled, the returning officer shall forthwith declare all such candidates to be duly elected to fill those seats and countermand the poll.
- (7) Where by reason of any retirement from the contest at an election to which the provisions of section 54 apply, the number of remaining contesting candidates qualified to be chosen to fill the reserved seats becomes equal to the number of such seats, the returning officer shall forthwith declare all those candidates to be duly elected to fill those seats and countermand the poll in so far as it relates to elections for filling those seats and the procedure laid down in section 53 shall be followed for filling the remaining seat or seats, if any."

34. Amendment of section 56.—In section 56 of the principal Act, for the words "appropriate authority", the words "Election Commission" shall be substituted.

35. Substitution of new section for section 58.—For section 58 of the principal Act, the following section shall be substituted, namely:—

"58. Fresh poll in the case of destruction, etc., of ballot boxes.—(1) If at any election, any ballot box used at a polling station or at a place fixed for the poll is unlawfully taken out of the custody of the presiding officer or the returning officer, or is any way tampered with, or is accidentally or intentionally destroyed, lost or damaged, and the returning officer is satisfied that in consequence thereof the result of the poll at that polling station or place cannot be ascertained, he shall—

- (a) declare the polling at that polling station or place to be void;
- (b) report the matter forthwith to the Election Commission and to the appropriate authority;
- (c) with the previous approval of the Election Commission, appoint a day, and fix the hours for taking a fresh poll at the polling station or place; and
- (d) notify the day so appointed and the hours so fixed by him in such manner as the Election Commission may direct.

(2) The provisions of this Act and of any rules or orders made thereunder shall apply to every such fresh poll as they apply to the original poll."

36. Amendment of section 64.—In section 64 of the principal Act,—

- (a) for the word "supervision" the words "supervision and direction" shall be substituted; and

- (b) for the words "counting agent", the words "counting agents" shall be substituted.

37. Insertion of new section 67 A.—In Chapter V of Part V of the principal Act, after section 67, the following section shall be inserted, namely:—

"67A. Date of election of candidate.—For the purposes of this Act, the date on which a candidate is declared by the returning officer under the provisions of section 53, section 54, section 55A or section 66, to be elected to a House of Parliament or of the Legislature of a State or to the electoral college of a scheduled Part C State shall be the date of election of that candidate."

38. Amendment of section 68.—In section 68 of the principal Act,—

- (a) in sub-section (1), for the words "within ten days from the date of publication in the Gazette of India of the declarations that he has been so chosen or, if such publications have been made on different dates, within ten days from the later of such dates, intimate", the words "within ten days from the date, or the later of the dates, on which he is so chosen, intimate" shall be substituted; and
- (b) the following sub-section shall be added at the end, namely:—

"(4) For the purposes of this section and of section 69, the date on which a person is chosen to be a member of either House of Parliament shall be in the case of an elected member, the date of his election and in the case of a nominated member, the date of first publication in the Gazette of India of his nomination."

39. Amendment of section 69.—In section 69 of the principal Act:—

- (a) in sub-section (1), for the words "on the publication in the Gazette of India of the declaration that he has been so chosen", the words "on the date on which he is so chosen" shall be substituted; and
- (b) in sub-section (2), for the words "on the publication in the Gazette of India of the declaration that he has been so chosen", the words "on the date on which he is so chosen" shall be substituted.

40. Amendment of section 70.—In section 70 of the principal Act, after the words, "all but one of the seats", the words "by writing under his hand addressed to the Speaker or Chairman, as the case may be, or to such other authority or officer as may be prescribed" shall be inserted.

41. Substitution of new sections for sections 71 to 75.—For sections 71 to 75 of the principal Act, the following sections shall be substituted, namely:—

"71. Publication of results of elections to the Council of States and of names of persons nominated by the President.—After the elections held in any year in pursuance of the notifications issued under section 12, there shall be notified by the appropriate authority in the Official Gazette the names of members elected by the elected members of the Legislative Assemblies of the States and by the members of the electoral colleges for the various Part C States at the said elections together with the names of any persons nominated by the President to the Council of States under sub-clause (a) of clause (1) of article 80 or under any other provisions.

72. Publication of results of elections for the reconstitution of electoral colleges for certain Part C States.—After the elections held in pursuance of the notification issued under section 13 for the reconstitution of the electoral college for a Scheduled Part C State, there shall be notified by the appropriate authority in the Official Gazette as soon as may be after the date or the last of the dates fixed for the completion of the said elections,

the names of the persons elected for the various electoral college constituencies at the said elections.

73. **Publication of results of general elections to the House of the People and the State Legislative Assemblies and of names of persons nominated there-to.**—Where a general election is held for the purpose of constituting a new House of the People or a new State Legislative Assembly, there shall be notified by the appropriate authority in the Official Gazette, as soon as may be after the date originally fixed for the completion of the election under clause (e) of section 30, the names of the members elected for the various constituencies by that date together with the names of persons, if any, nominated by the President, Governor or Rajpramukh to that House or Assembly, as the case may be; and upon the issue of such notification that House or Assembly shall be deemed to be duly constituted:

Provided that the issue of such notification shall not be deemed—

- (a) to preclude the completion of the election in any parliamentary or any assembly constituency or constituencies for which time has been extended under the provisions of section 153; or
 - (b) to affect the duration of the House of the People or the State Legislative Assembly, if any, functioning immediately before the issue of the said notification.
74. **Publication of results of elections to the State Legislative Councils and of names of persons nominated to such Councils.**—After the elections held in any year in pursuance of the notifications issued under section 16, there shall be notified by the appropriate authority in the Official Gazette the names of the members elected for the various Council constituencies and by the members of the Legislative Assembly of the State at the said elections together with the names of any persons nominated by the Governor or Rajpramukh, as the case may be, under sub-clause (e) of clause (3) of article 171."
42. **Substitution of new sections for sections 76, 77 and 78.**—For sections 76, 77 and 78 of the principal Act, the following sections shall be substituted, namely:—
- "76. **Application of Chapter.**—This Chapter shall apply only to elections to the House of the People and to the Legislative Assembly of a State.
77. **Account of election expenses and maximum thereof.**—(1) Every candidate at an election shall, either by himself or by his election agent, keep a separate and correct account of all expenditure in connection with the election incurred or authorised by him or by his election agent between the date of publication of the notification calling the election and the date of declaration of the result thereof, both dates inclusive.
- (2) The account shall contain such particulars, as may be prescribed.
- (3) The total of the said expenditure shall not exceed such amount as may be prescribed.
78. **Lodging of account with the returning officer.**—Every contesting candidate at an election shall, within thirty days from the date of election of the returned candidate or, if there are more than one returned candidate at the election and the dates of their election are different, the later of those two dates, lodge with the returning officer an account of his election expenses which shall be a true copy of the account kept by him or by his election agent under section 77."

43. **Amendment of section 79.**—In section 79 of the principal Act, clause (a) shall be omitted.

44. **Amendment of section 81.**—In section 81 of the principal Act, in sub-section (1),—

- (a) for the words, brackets and figures "sub-sections

(1) and (2)", the word, brackets and figure "sub-section (1)" shall be substituted; and

- (b) for the words and figures "in such form and within such time but not earlier than the date of publication of the name or names of the returned candidate or candidates at such election under section 67, as may be prescribed", the words "within forty-five days from, but not earlier than, the date of election of the returned candidate, or if there are more than one returned candidate at the election and the dates of their election are different, the later of those two dates" shall be substituted.

45. **Substitution of new section for section 82.**—For section 82 of the principal Act, the following section shall be substituted, namely:—

"82. **Parties to the petition.**—A petitioner shall join as respondents to his petition—

- (a) where the petitioner, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claims a further declaration that he himself or any other candidate has been duly elected, all the contesting candidates other than the petitioner, and where no such further declaration is claimed, all the returned candidates; and

- (b) any other candidate against whom allegations of any corrupt practice are made in the petition."

46. **Substitution of new section for section 83.**—For section 83 of the principal Act, the following section shall be substituted, namely:—

"83. **Contents of petition.**—(1) An election petition—

- (a) shall contain a concise statement of the material facts on which the petitioner relies;
- (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and

- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908, for the verification of pleadings.

- (2) Any schedule or annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition."

47. **Substitution of new section for section 84.**—For section 84 of the principal Act, the following section shall be substituted, namely:—

"84. **Relief that may be claimed by the petitioner.**—A petitioner may, in addition to claiming a declaration that the election of all or any of the returned candidates is void, claim a further declaration that he himself or any other candidate has been duly elected."

48. **Substitution of new section for section 85.**—For section 85 of the principal Act, the following section shall be substituted, namely:—

"85. **Procedure on receiving petition.**—If the provisions of section 81 or section 82 or section 117 have not been complied with, the Election Commission shall dismiss the petition:

Provided that the petition shall not be dismissed without giving the petitioner an opportunity of being heard."

49. **Substitution of new section for section 86.**—For section 86 of the principal Act, the following section shall be substituted, namely:—

"86. **Appointment of Election Tribunal.**—(1) If the petition is not dismissed under section 85, the Election Commission shall cause a copy thereof to be published in the Official Gazette and a copy to be served by post on each respondent, and shall then refer the petition to an Election Tribunal for Trial.

- (2) For the purpose of constituting such Tribunals, the Election Commission shall obtain from the High Court of each State (other than Jammu and Kashmir) a list of persons who are district judges in the State and are in the opinion of the High Court fit to be appointed as members of Election Tribunals and shall maintain the list by making such alterations therein as the High Court may, from time to time direct.

Explanation.—In this sub-section, the expression “district judge” includes judge of a city civil court, additional district judge, joint district judge and chief judge of a small cause court.

- (3) Every Tribunal shall consist of a single member selected by the Election Commission from any of the lists maintained by it under sub-section (2):—

Provided that where the petition is respect of an election to the Legislative Assembly or Legislative Council of a State, no person who is a district judge in another State shall be selected for appointment as a member of the Tribunal except with the consent of the Government of that other State:

Provided further that if the Election Commission considers it expedient so to do, it may appoint a person who has been a judge of a High Court as the member of a Tribunal.

- (4) If for any reason a vacancy occurs in the office of member of a Tribunal, the Election Commission shall, as soon as practicable, appoint a person to fill the vacancy in accordance with the foregoing provisions of this section; and upon his joining the Tribunal, the trial of the petition shall be continued as if he had been on the Tribunal from the beginning:

Provided that the Tribunal may, if it thinks fit, recall and re-examine any of the witnesses already examined.”.

50. **Substitution of new section for section 89.**—For section 89 of the principal Act, the following section shall be substituted, namely:—

“89. **Power of Election Commission to withdraw and transfer petitions.**—The Election Commission may at any stage after notice to parties and for reasons to be recorded, withdraw any petition pending before a Tribunal and transfer it for trial to another Tribunal constituted in accordance with the provisions of section 86; and upon such transfer, that Tribunal shall proceed with the trial from the stage at which it was withdrawn:

Provided that it may, if it thinks fit, recall and re-examine any of the witnesses already examined.”.

51. **Amendment of section 90.**—In section 90 of the principal Act,—

- (a) sub-section (1) shall be omitted;
- (b) in sub-section (2), the first proviso and the word “further” in the second proviso shall be omitted, and the sub-section shall be re-numbered as sub-section (1);
- (c) sub-section (3) shall be re-numbered as sub-section (2);
- (d) for sub-section (4), the following sub-sections shall be substituted, namely:—

“(3) The Tribunal shall dismiss an election petition which does not comply with the provisions of section 81, section 82 or section 117 notwithstanding that it has not been dismissed by the Election Commission under section 85.

- (4) Any candidate not already a respondent shall, upon application made by him to the Tribunal within fourteen days from the date of commencement of the trial and subject to the provisions of section 119, be entitled to be joined as a respondent.

Explanation.—For the purposes of this sub-section and of section 97, the trial of a petition shall be deemed to commence on the date fixed for the respondents to appear before the Tribunal and answer the claim or claims made in the petition.

- (5) The Tribunal may, upon such terms as to costs and otherwise as it may deem fit, allow the particulars of any corrupt practice alleged in the petition to be amended or amplified in such manner as may in its opinion be necessary for ensuring a fair and effective trial of the petition, but shall not allow any amendment of the petition which will have the effect of introducing particulars of a corrupt practice not previously alleged in the petition.

- (6) Every election petition shall be tried as expeditiously as possible and endeavour shall be made to conclude the trial within six months from the date of publication of the copy of the petition in the Official Gazette under sub-section (1) of section 86.”.

52. **Amendment of section 97.**—In section 97 of the principal Act,—

- (a) in the proviso to sub-section (1), for the words and figures, “the publication of the election petition under section 90”, the words “commencement of the trial” shall be substituted;
- (b) in sub-section (2), the words “list of” shall be omitted.

53. **Amendment of section 98.**—In section 98 of the principal Act,—

- (a) in clause (b) and clause (c), for the words “the returned candidate”, the words “all or any of the returned candidates” shall be substituted; and
- (b) the word “or” occurring at the end of clause (c) and clause (d) shall be omitted.

54. **Amendment of section 99.**—In section 99 of the principal Act,—

- (a) in sub-section (1)—
 - (i) for clause (a), the following clause shall be substituted, namely:—

“(a) where any charge is made in the petition of any corrupt practice having been committed at the election, recording—
 - (i) a finding whether any corrupt practice has or has not been proved to have been committed by, or with the consent of, any candidate or his agent at the election, and the nature of that corrupt practice; and
 - (ii) the names of all persons, if any, who have been proved at the trial to have been guilty of any corrupt practice and the nature of that practice; and”;
- (ii) in the proviso for the words “no person shall be named”, the words “a person who is not a party to the petition shall not be named” shall be substituted; and

- (b) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) In this section and in section 100, the expression “agent” has the same meaning as in section 123.”

55. **Amendment of section 100.**—In section 100 of the principal Act,—

- (a) for sub-sections (1) and (2), the following sub-section shall be substituted, namely:—
 - (1) Subject to the provisions of sub-section (2), if the Tribunal is of opinion—
 - (a) that on the date of his election a returned candidate was not qualified, or was disqualified, to be chosen to fill the seat under the Constitution or this Act or the Government of Part C States Act, 1951 (49 of 1951); or
 - (b) that any corrupt practice has been committed by a returned candidate or his election agent or by any other person with the consent of a returned candidate or his election agent; or
 - (c) that any nomination has been improperly rejected; or

(d) that the result of the election, in so far as it concerns a returned candidate, has been materially affected—

- (i) by the improper acceptance of any nomination, or
- (ii) by any corrupt practice committed in the interests of the returned candidate by a person other than that candidate or his election agent or a person acting with the consent of such candidate or election agent, or
- (iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or
- (iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act,

the Tribunal shall declare the election of the returned candidate to be void.”; and

(b) sub-section (3) shall be re-numbered as sub-section (2) and in that sub-section as so re-numbered—

- (i) the words and figures “specified in section 123” shall be omitted;
- (ii) in clause (a), for the words “without the sanction or connivance”, the words “without the consent” shall be substituted; and
- (iii) in clause (c) and clause (d), the words “or illegal” shall be omitted.

56. **Amendment of section 101.**—In section 101 of the principal Act, in clause (b), the words “or illegal” shall be omitted.

57. **Omission of section 104.**—Section 104 of the principal Act shall be omitted.

58. **Omission of section 105.**—Section 105 of the principal Act shall be omitted.

59. **Amendment of section 106.**—In section 106 of the principal Act,—

- (a) the brackets and words “(other than a primary election)” shall be omitted;
- (b) for the words “shall cause the order to be published in the Gazette of India and in the Official Gazette of the State concerned”, the following shall be substituted, namely:—

“shall cause the order to be published—

- (a) where the order relates to an election to a House of Parliament in the Gazette of India as well as in the Official Gazette of the State concerned; and
- (b) where the order relates to an election to the House or a House of the Legislature of the State, in the Official Gazette of the State.”.

60. **Substitution of new section for section 107.**—For section 107 of the principal Act, the following section shall be substituted, namely:—

“107. **Effect of orders of the Tribunal.**—(1) Every order of the Tribunal under section 98 or section 99 shall take effect as soon as it is pronounced by the Tribunal.

(2) Where by an order under section 98 the election of a returned candidate is declared to be void, acts and proceedings in which that returned candidate has, before the date thereof, participated as a member of Parliament or as a member of the Legislature of a State shall not be invalidated by reason of that order, nor shall such candidate be subjected to any liability or penalty on the ground of such participation.”.

61. **Amendment of section 111.**—In section 111 of the principal Act, the following words shall be added at the end, namely:—

“and thereupon the Election Commission shall publish the report in the Official Gazette”.

62. **Insertion of new Chapter after Chapter IV in Part VI.**—In Part VI of the principal Act, after Chapter IV, the following Chapter shall be inserted, namely:—

“CHAPTER IVA

Appeals

116A. **Appeals against orders of Election Tribunals.**—

(1) An appeal shall lie from every order made by a Tribunal under section 98 or section 99 to the High Court of the State in which the Tribunal is situated.

(2) The High Court shall, subject to the provisions of this Act, have the same powers, jurisdiction and authority, and follow the same procedure, with respect to an appeal under this Chapter as if the appeal were an appeal from an original decree passed by a civil court situated within the local limits of its civil appellate jurisdiction:

Provided that where the High Court consists of more than two judges every appeal under this Chapter shall be heard by a bench of not less than two judges.

(3) Every appeal under this Chapter shall be preferred within a period of thirty days from the date of the order of the Tribunal under section 98 or section 99:

Provided that the High Court may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within such period.

(4) Where an appeal has been preferred against an order made under clause (b) of section 98, the High Court may, on sufficient cause being shown, stay operation of the order appealed from and in such a case the order shall be deemed never to have taken effect under sub-section (1) of section 107.

(5) Every appeal shall be decided as expeditiously as possible and endeavour shall be made to determine it finally within three months from the date on which the memorandum of appeal is presented to the High Court.

116B. **Finality of orders and decisions.**—The decision of the High Court on appeal under this Chapter and subject only to such decision, the order of the Tribunal under section 98 or section 99 shall be final and conclusive.”.

63. **Amendment of section 119.**—In section 119 of the principal Act, for the words, brackets and figure “sub-section (1)”, the words, brackets and figure “sub-section (4)” shall be substituted.

64. **Insertion of new section after section 119.**—After section 119 of the principal Act, the following section shall be inserted namely:—

“119A. **Security for costs of appeal.**—Every person who prefers an appeal under Chapter IVA shall enclose with the memorandum of appeal a Government treasury receipt showing that a deposit of five hundred rupees has been made by him either in a Government treasury or in the Reserve Bank of India in favour of the Secretary to the Election Commission as security for the costs of the appeal.”.

65. **Substitution of new heading for heading of Part VII.**—For the heading of Part VII of the principal Act, the following heading shall be substituted namely:—

“CORRUPT PRACTICES AND ELECTORAL OFFENCES”

66. **Substitution of new Chapter for Chapters I and II in Part VII.**—In Part VII of the principal Act, for Chapters I and II, the following Chapter shall be substituted, namely:—

“CHAPTER I

Corrupt Practices

123. The following shall be deemed to be corrupt practices for the purposes of this Act:—

- (1) Bribery that is to say, any gift, offer or promise

by a candidate or his agent or by any other person, of any gratification to any person whomsoever, with the object, directly or indirectly of inducing—

- (a) a person to stand or not to stand as, or to withdraw from being, a candidate, or to retire from contest, at an election;
 - (b) an elector to vote or refrain from voting at an election,
- or as a reward to—
- (i) a person for having so stood or not stood, or for having withdrawn his candidature, or for having retired from contest; or
 - (ii) an elector for having voted or refrained from voting.

Explanation.—For the purposes of this clause the term “gratification” is not restricted to pecuniary gratifications or gratifications estimable in money and it includes all forms of entertainment and all forms of employment for reward; but it does not include the payment of any expenses *bona-fide* incurred at, or for the purpose of, any election and duly entered in the account of election expenses referred to in section 78.

- (2) Undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of the candidate or his agent, or of any other person, with the free exercise of any electoral right:

Provided that—

- (a) without prejudice to the generality of the provisions of this clause any such person as is referred to therein who—
 - (i) threatens any candidate, or any elector, or any person in whom a candidate or an elector is interested, with injury of any kind including social ostracism and excommunication or expulsion from any caste or community; or
 - (ii) induces or attempts to induce a candidate or an elector to believe that he, or any person in whom he is interested, will become or will be rendered an object of divine displeasure or spiritual censure,

shall be deemed to interfere with the free exercise of the electoral right of such candidate or elector within the meaning of this clause;

- (b) a declaration of public policy, or a promise of public action, or the mere exercise of a legal right without intent to interfere with an electoral right, shall not be deemed to be interference within the meaning of this clause.
- (3) The systematic appeal by a candidate or his agent or by any other person, to vote or refrain from voting on grounds of caste, race, community or religion or the use of, or appeal to, religious symbols or the use of, or appeal to, national symbols, such as the national flag or the national emblem, for the furtherance of the prospects of that candidate's election.
- (4) The publication by a candidate or his agent or by any other person, of any statement of fact which is false, and which he either believes to be false or does not believe to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature, or withdrawal, or retirement from contest, of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election.
- (5) The hiring or procuring, whether on payment or otherwise, of any vehicle or vessel by a candidate or his agent or by any other person, for the conveyance of any elector (other than the candidate himself, the members of his family or

his agent) to or from any polling station provided under section 25 or a place fixed under sub-section (1) of section 29 for the poll:

Provided that the hiring of a vehicle or vessel by an elector or by several electors at their joint costs for the purpose of conveying him or them to and from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause if the vehicle or vessel so hired is a vehicle or vessel not propelled by mechanical power:

Provided further that the use of any public transport vehicle or vessel or any tramcar or railway carriage by any elector at his own cost for the purpose of going to or coming from any such polling station or place fixed for the poll shall not be deemed to be a corrupt practice under this clause.

Explanation.—In this clause, the expression ‘vehicle’ means any vehicle used or capable of being used for the purpose of road transport, whether propelled by mechanical power or otherwise and whether used for drawing other vehicles or otherwise.

- (6) The incurring or authorising of expenditure in contravention of section 77.
- (7) The obtaining or procuring or abetting or attempting to obtain or procure by a candidate or his agent or, by any other person, any assistance (other than the giving of vote) for the furtherance of the prospects of that candidate's election, from any person in the service of the Government and belonging to any of the following classes, namely:—

- (a) gazetted officers;
- (b) stipendiary judges and magistrates;
- (c) members of the armed forces of the Union;
- (d) members of the police forces;
- (e) excise officers;
- (f) revenue officers including village accountants, such as, patwaris, lekhpals, talatis, karnams and the like but excluding other village officers; and
- (g) such other class of persons in the service of the Government as may be prescribed.

Explanation.—(1) In this section the expression ‘agent’ includes an election agent, a polling agent and any person who is held to have acted as an agent in connection with the election with the consent of the candidate.

- (2) For the purposes of clause (7), a person shall be deemed to assist in the furtherance of the prospects of a candidate's election if he acts as an election agent, or a polling agent or a counting agent of that candidate.”

67. Amendment of section 126.—In section 126 of the principal Act, for the word “constituency” occurring at both places, the words “polling area” shall be substituted.

68. Amendment of section 133.—In section 133 of the principal Act, for the word, brackets and figure “clause (6)” the word, brackets and figure “clause (5)” shall be substituted.

69. Amendment of section 134.—In section 134 of the principal Act, in sub-section (3), after the words ‘Electoral Registration Officer’, the words ‘Assistant Electoral Registration Officers’ shall be inserted.

70. Amendment of section 136.—In section 136 of the principal Act, in clause (d) of sub-section (1), after the words “to any person”, the words “or receives any ballot paper from any person or is in possession of any ballot paper” shall be inserted.

71. Substitution of new section for section 140.—For section 140 of the principal Act, the following section

shall be substituted, namely:—

“140. Corrupt practices entailing disqualification.—The corrupt practices specified in section 123 shall entail disqualification for membership of Parliament and of the Legislature of every State for a period of six years counting from the date on which the finding of the Election Tribunal as to such practice takes effect under this Act.”

72. Insertion of new section 140A.—(1) In part VIII of the principal Act, in Chapter I, after section 140, the following section shall be inserted, namely:—

“140A. Removal, or reduction of period, of disqualifications.—The Election Commission may, for reasons to be recorded, remove any disqualification under this Chapter or reduce the period of any such disqualification.”

(2) It is hereby declared that any disqualification for membership entailed by any act which has ceased to be a corrupt or illegal practice under the principal Act as amended by this Act shall stand removed.

73. Omission of section 142.—Section 142 of the principal Act shall be omitted.

74. Omission of section 143 and removal of disqualification incurred under that section.—(1) Section 143 of the principal Act shall be omitted.

(2) It is hereby declared that any disqualification for voting incurred by any person under the said section for default in making a return of election expenses shall stand removed.

75. Omission of section 146.—Section 146 of the principal Act shall be omitted.

76. Amendment of section 148.—In section 148 of the principal Act, for the words ‘Council of States’, the words ‘electoral college’ shall be substituted.

77. Amendment of section 152.—In section 152 of the principal Act, in sub-section (2), the words “or group of such States” shall be omitted.

78. Substitution of new section for section 153.—For section 153 of the principal Act, the following section shall be substituted, namely:—

“153. Extension of time for completion of election.—It shall be competent for the Election Commission for reasons which it considers sufficient, to extend the time for the completion of any election by making necessary amendments in the notification issued by it under section 30 or sub-section (1) of section 39.”

79. Amendment of section 157.—In section 157 of the principal Act,—

(a) in sub-section (1) for the word and figures ‘section 75’ the word and figures ‘section 74’ shall be substituted; and

(b) in sub-section (27, for the word and figures ‘section 75’ the word and figures ‘section 74’ shall be substituted.

80. Amendment of section 158.—In section 158 of the principal Act,—

(a) in sub-section (1), the words, brackets and figures ‘or in that section read with sub-section (4) of section 39’ and the words, brackets and figure ‘or in that sub-section read with the said sub-section (4)’ shall be omitted; and

(b) in sub-section (4),—

(i) the words, brackets and figures ‘or under that sub-section read with sub-section (4) of section 39’ shall be omitted; and

(ii) in the second proviso, the words ‘or at an election in a Council constituency and an election by the members of the State Legislative Assembly to fill seats in the State Legislative Council’ shall be omitted.

81. Amendment of section 159.—In section 159 of the principal Act, the words ‘the Election Commission or’ shall be omitted.

82. Amendment of section 169.—In section 169 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

“(3) All rules made under this Act shall, as soon as may be after they are made, be laid for not less than thirty days before both Houses of Parliament and shall be subject to such modifications as Parliament may make during the session in which they are so laid or the session immediately following.”

83. Consequential amendments.—In the Government of Part C States Act, 1951 (49 of 1951),—

(a) in section 7,—

(i) the word ‘and’ shall be added at the end of clause (a); and

(ii) the word ‘and’ at the end of clause (b), the whole of clause (c) and the *Explanation* shall be omitted;

(b) section 8 shall be omitted.

84. Act not to apply to pending elections, etc.—Save as otherwise provided in this Act, nothing herein shall apply to any election which has been called before the commencement of this Act or to any election petition arising out of such election, whether such petition is pending at such commencement or is presented afterwards, and all such elections shall be held and petitions tried, and all matters in connection with such elections or petitions (including the constitution of Election Tribunals) shall be regulated, in accordance with the provisions of the law in force immediately before such commencement.

भाग 7—भारतीय निर्वाचन-आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं
तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं ।

शून्य

अनुपूरक

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Late Received

PART I

JUDICIAL COMMISSIONER'S COURT

NOTIFICATIONS

Simla-1, the 22nd August, 1956

No. J.C. (D.J.B.)/54.—Earned leave for 120 days, preparatory to retirement, is sanctioned to Shri Jagat Pal Thakur, Senior Subordinate Judge, Chamba District Chamba, with effect from the 18th September, 1956 forenoon.

Simla-1, the 24th August, 1956

No. J.C. (D.J.B.)/54.—Shri Sant Ram, Subordinate Judge, Mahasu District, Theog, is transferred and posted as Senior Subordinate Judge, Chamba District, Chamba, with effect from the 18th September, 1956, F. N. in the vacancy, caused by grant of 120 days earned leave, preparatory to retirement, to Shri Jagat Pal Thakur, Senior Subordinate Judge, Chamba, with effect from the 18th September, 1956, F. N. *vide* this Courts, Notification of even number dated the 22nd August, 1956.

By order,
H. L. SONI,
Registrar.

CUSTODIAN'S DEPARTMENT

SPECIAL ORDER

Simla-4, the 7th August, 1956

No. G. 82-70/55.—In exercise of the powers conferred upon me by section 12 A of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), I, M. Chandra, the Custodian of Evacuee Property, Himachal Pradesh, hereby declare that with effect from the date of issue of this order I shall stand absolved of all responsibilities in respect of the tenancy rights described in the schedule hereto annexed which have vested in me as evacuee property and the lease granted by me in respect of such property particulars whereof are mentioned in the said Schedule.

Schedule, Description of Tenancy rights

Land measuring 1-9-12 bighas comprised in Khatoni

No. 15/61 and Khasra No. 21 in village Thanera Tehsil Sadar, Mandi District, Himachal Pradesh, belonging to the Himachal Pradesh Government and entered as non-occupancy tenant in the name of Amam Din Evacuee

M. CHANDRA,
Custodian of Evacuee Property.

PUBLIC WORKS DEPARTMENT

NOTIFICATIONS

Simla-4, the 22nd August, 1956

No. PW-58-29/56-35814-17.—The headquarters of Rampur Electrical Sub-Division, Rampur, are hereby shifted from Rampur to Thanedhar temporarily with effect from 11-7-1956, forenoon in the public interest.

Simla-4, the 22nd August, 1956

No. PW-59-74/55-35708-13.—Shri P. L. Khanna on deputation from the Central Public Works Department, took over charge as Assistant Engineer, Public Health, Sub-Division Chamba (North), with headquarters at Chamba on the afternoon of 28-6-55.

G. R. NANGEA,
Secretary.

REVENUE DEPARTMENT

NOTIFICATION

Simla-4, the 23rd August, 1956

No. R. 1-37/50.—In exercise of the powers conferred under clause (1) of Section 20 of the Himachal Pradesh Debt Reduction Act, 1953, the Lieut. Governor, Himachal Pradesh has been pleased to invest the powers of Collector on Shri G. M. Lul Assistant Collector Ist Grade, Mandi to be exercised by him under the said Act, with in the limits of Mandi District.

By order,
BASANT RAI,
Assistant Secretary.